THE DEPUTY CHAIRMAN: That is all. I allowed him to make a mention. Now, we take up the Statu, tory Resolution.

SHRIMATI BIJOYA CHAKRAVARTY: They were Naga armed people. *(Interruptions),* Fifty people of Assam villages living within the Assam border have been killed. The Central Government inspired them to set up polling booths within the Assam border in the Nagaland elections. *(Interruptions)* .

SHRI BHUBANESWAR KALITA: (Assam): It is the Assam Government which did it, not the Central Government. *(Interruptions).* The Assam Government took it up with the Election Commission. *(Interruptions).*

DR. NAGEN SAIKIA; We apprehend that in the border of Assam, We will have another attack.

THE DEPUTY CHAIRMAN: Now, please sit down. What you say will not go on record. I have called the next item.

SHRIMATI BIJOYA CHAKRAVARTY: *

DR. NAGEN SAIKIA:*

THE DEPUTY CHAIRMAN: Please sit down. Statutory Resolution and Motion. Shri Buta Singh. (.Interrup. *tions).* All of you may please sit down. There is no use speaking. It is not recorded. I have already called the Minister.

I. STATUTORY RESOLUTION APPROVING PRESIDENT'S PROCLAMATION UNDER ARTICLE 356 IN RELATION TO THE STATE OF KARNATAKA

II MOTION RECOMMENDING RE-CALX, **OF GOVERNOR OF KAR-NATAKA**

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Madam, I rise to move:

"That this House approves the Proclamation issued by the President on the 21st April, 1989 under Article 356 of the Constitution in relation to the State of Karnataka.'

The Governor of Karnataka, in a communication dated 19th April, 1989, has reported that there have been dissensions in the ruling Janata party... *(Interruptions)* ... and in the wake of formation of Janata Dal... *(Interruptions)..,out* of 139 MLAs... *{Interruptions).*

THE DEPUTY CHAIRMAN: Hon. Members, you will have a chance Please excuse me. You will have time to speak. Do not disturb the House. Do not shout like this. It does not look nice.

SHRI BUTA SINGH: During the formation of Janata Dal, several Members were said to have been lured by the Janata Dal, from the Janata Party by adopting unethical methods. On the 1st of February 1989, when the Janata Dal was given official recognition in the Assembly, it had a strength of 111 Members. In addition, seven Independent Members had also pledged their support to the Janata Dal Government. The Governor further mentioned that 18 MLAs of the Janata Dal in the Assembly and one Member of the BJP had written to him to the effect that they have withdrawn their support to the Janata Dal Ministry headed by Shri S. R. Bommai. The Governor got their signatures verified. This withdrawl of support reduced the strength of the Janata Dal from 118. including seven independent MLAs. to a minority. The total strength of the Legislative Assembly of Karnataka is 225 Members and the effective strength was 222 excluding the Speaker with two seats vacant. According to the Governor, the Ministry header! by Shri S. R. Bommai. therefore, failed to command a majority in the House. The Governor had accordingly satisfied himseif that under the circumstances prevailing in the State, a situation had arisen in

*Not recorded.

Karnataka in which the Government of the State could not be earned on in accordance with the provisions of the Constitution. The Governor also mentioned that there was no otner party which was in a position to lorm a Government in the State. The Governor, therefore, recommended action under Article 356 of the Constitution and also dissolution of the State Legislative Assembly. The Governor sent a further message intimating that the atmosphere in the State was getting vitiated and there were reports that horsetrading was going on and some members who were earlier signatories to the letter withdrawing support to the Bommai Government were apparently under pressure to retract. The Governor said that he has satisfied himself while sending the report that the Government headed by Shri S. R. Bomma) did not continue to enjoy a majority in the State Legislative Assembly. In view of the reports of the Governor of Karnataka and the situation prevailing in the State, the President of India issued a proclamation under Article 356 of the Constitution on the 21st April, 1989 and the Legislative Assembly of the State was dissolved. With thes; words Madam. I commend the proclamation issued on 21st April. 1989 under Article 356 of the Constitution in relation to the State of Karnataka for approval of this august House.

SHRI M. S. GURUPADASWAMY (Karnataka): Madam, I move:

> "That this House disapproves the action of the Governor of Karnataka in recommending to the President the dismissal of the democratically elected Government of Karnataka and recommends that the Governor be recalled."

The questions were proposed.

THE DEPUTY CHAIRMAN: Now the Home Minister's Resolution and Shri Gurupadaswamy's Motion are open for discussion.

SHRI BUTA SINGH: Madam, the Motion will be taken up after the House approves the Proclamation!

SHRI DIPEN GHOSH (West Bengal): No; after the Governor is recalled and given a job in the Ministry of Home Affairs. Let him be recalled and given a job under Mr. Buta Singh.

SHRI BUTA SINGH: It is put in that order. What can I do?

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): The Governor of Karnataka will go the same way as Mr. Ramlal, the ex-Governor of Andhra Pradesh.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): He has mentioned the name of Ramlal. Ramlal is now chairman of the Campaign Committee of the Janata Dal.

THE DEPUTY CHAIRMAN: Will you allow another Swamy to speak?

SHRI DIPEN GHOSH: But he has left this Swamy.

SHRI SUBRAMANIAN SWAMY: What about Ramlal? Is Ramlal with you or not?

THE DEPUTY CHAIRMAN: I am concerned with Gurupadaswamy now.

SHRI M. S. GURUPADASWAMY: I am sorry at the spirit of levity exhibited by my friend. Mr. Buta Singh, on a grave situation like this. Twenty-first Aprl, Ninteen Hundred and Eightynine is a sad day for the people of Karnataka and also the saddest day for Indian democracy itself. Once again we witness that under the Congress dispensation the parliamentary system is not safe nor are political norms and conventions respected or preserved. Ever since the Congress Partv came to rower after independence, it has consistently and persistently exhibited one nefarious trait. And it is the trait of intolerance, mis-

[Shri M. S. Gurupadaswamy] chisf and resorting to blackmail against the non-Congress (I) Governments in the States. This is the only continuity we are seeing under the Congress (I) dispensation. In this particular case, the Congress (I) Government at the Centre eould not reconcile itself to its defeat in Karnataka in 1983, having enjoyed power continuously for 35 years. When the Congress (I) was defeated at the polls in 1983, there was a sigh of relief. Why I recall to our friends here that the Congress (I) party was defeated in 1983 not because the Janata Party was very strong, but because there Was 'corruption' there was misrule, and there were factionalist forces functioning and destroying the unity of the party, which epithets are being quoted by these people now? For these very reasons the Govsrnment of the Congress (I) was defeated and we came to power. Ever since we came to power, the Congress (I) at the Centre and the Congress (I) Party, both in Karnataka and here, did not rest, but indulged in various shady manoeuvres and adopted nasty ploys to destabilise our Government there. The day 21st April, did not come on a sudden. For the last six-and-a-half years Mr. Buta Singh knows all the developments there. He was actively involved in various activities to destabilize our Government... *(Interruptions)*.. .he is fully aware, because... *(Interruptions)*...

SOME HON. MEMBERS: No, no... *(Interruptions)*...

SHRI M. S. GURUPADASWAMY: Please listen to me... *(Interruptions)*. Please listen to me.

SHRT VITHALRAO MADHAVRAO JADHAV (Maharashtra): When you decide to destabilize yourself, what can be done?... *(Interruptions)* .. . **know** the political situation there... *(Interruptions)*.. .People are fed up with that party... (Interruptions) ...

SHRI M. S. GURUPADASWAMY: I say that Mr. Buta Singh is fully aware of all the developments in Karnataka because he master-minded the conspiracy to uproot our Government there... (fnitemiptions)...

SHRI VISHWA BANDHU GUPTA (Delhi): Madam, I am on a point of order.

SHRI M. S. GURUPADASWAMY: What is the point of order in. this?

THE DEPUTY CHAIRMAN: Unless I know what he says, how can I say whether there is a point of order or not? Yes, Mr. Gupta.

SHRI VISHWA BANDHU GUPTA: Madam Deputy Chairman, I would like to know from the honourable Leader of the Opposition whether "master-minding" is specifically meant for the Home Minister today regarding the destabilization. Is it a normal thing? It is for him to consider this. I would also like to know whether it is parliamentary or unparliamentary for him to say that the Home Minister has been master-minding this kind of destabilization in the State.

THE DEPUTY CHAIRMAN: I think the Home Minister will answer that.

SHRI M. S. GURUPADASWAMY: Thers is no point of order in this.

SHRT N. E BALARAM (Karala): There is no point of order in this. It is only a political point.

SHRT M. S. GURUPADASWAMY: Madam. I would also reiterate that you should examine the role of Mr. Buta Singm is he prenared to accept that? We should examine the role of Mr. Buta Singh in Karnataka. I am nrepared for any examination. We have got enough evidence to prove toshow that Mr. Buta Singh nlaved a dishonourable role... *(Interruptions)* ■ . . despicable role. in unsettling Oppositon govwnment in Karnataka. (Interruptions) .

श्री पवन कुमार बांसल (पंजाब) : ये अपनी बीमारी के लिए दोष हमें दे रहे हैं।

श्री लक्ष्मी नारायण (दिल्ली) : झगड़ा इनका अपने घर का है, श्री बूटा सिंह को खामखवाह घसीट रहे हैं। मैं आनरेबल मेम्बर से यह पूछना चाहता हू कि वे अपने भाषण में यह बताएं कि Does he appreciate the sale and purchase of MLAs? He should reply in his speech.

SHRI M. S. GURUPADASWAMY! May I tell my colleagues in the House that Mr. Buta Singh's role was the role of Shakuni in Mahabharat. *(Interruptions)* .

AN HON. MEMBER; He is happy to hear that. *(Interruptions).*

SHRI LAXMI NARAIN; The role of Shakuni can be attributed to honourable Subramanian Swamy, not to Buta Singh... (Interruptions).

SHRl M. S, GURUPADASWAMY: You know, Madam, what a dirty role Shakuni played in • • •

THE DEPUTY CHAIRMAN; I will only be happy if our House does not become 'Lakshagraha', it remains the Rajya Sabha. *(Interruptions)* Keep the fire a little down. *(Interruptions)*

SHRI M. S. GURUPADASWAMY: Madam, we have been told that in Karnataka the S. R. Bommai Ministry fell because there wag corruption. We are told that there was misrule. We are told that there were defections. And we are further toUd that there was no majority for Mr. Bommai. If these concepts, if these norms, are applied uniformly throughout India on aH occasions, 1 am prepared to accept, I am not holding brief for my Government; I am for establishing proper norms and standards in the politicafl life of this country...

SHRI BUTA SINGH: Value-based politics!

SHRI M. S. GURUPADASWAMY: Very much so. If you say that a Government could fall because of corruption then all the Governments should fall. *(Interruptions)* All your Governments should fall. *(Interrup-Itions)* If a Government could fall because of factions within the party, all the Congress Governments should fall, should have fallen already in the past. If misrule is the yardstick on the basis of which you judge, then I say that your Gujarat Government should fall, your Bihar Government should fall, your Ra j asthan Government should fall your Maharashtra Government should fall and aH your Governments have got to fall, have got to meet the same fate as Mr. Bommai's Government. Let the Bommai Government go it there is fraud, if there is corruption, if there is misrule and if there is division within the party. Let it fall-Let if go. But the same standards, the same yardstick, have got to be applied to you. If misrule, misconduct, misbehaviour, corruption and factionalism are the yardsticks which should decide the fate of the Government, then I would demand that Rajiv Gandhi should resign. He has no business to be here. *(Interruptions)* I am looking at you people. I am looking at the Congress Party and the Government here. In spite of the Bofors, in spite of Thakkar Commission report and in spite of submarine scandal and other scandals, you are surviving. On what ground are you surviving here? Tell me that. You are surviving because of the Anti-Defection Act. You are surviving because you do not want to resign. You have no shame. You have no sense of shame. You have no values. *(Interruptions)* I demand that along with the resignation of the Janata Government in Karnataka, the Central Government should also resign. All the Governments should go fo the polls immediately.

श्री सुरेन्द्रजीत सिंह अहलूवालिया (बिहार) : ...गाली दी गई है अन-पार्लियामेंटरी लैंग्वेज यूज की गई है। What remarks are they passing? It they want to use vulgar language, we can also use vulgar language. They should withdraw it.

THE DEPUTY CHAIRMAN; Let us hear what he has said.

श्री सुरेन्द्रजीत सिंह अहलूवालिया : गाली दी है जो मैं अपने मुंह से नहीं कह सकता। ...(**व्यवधान**)... कितने गाली दी है, देखिये आपके जो पीछे बैठे हैं। उनसे पूछिए कि उन्होंने क्या रिमार्क पास किया है।

उपसभापति : रिकार्ड में नहीं है।

श्री सुरेन्द्रजीत सिंह अहलूवालिया : मैडम, रिकार्ड में देख लीजिये। गाली दी गई है। अगर आपको रिपोर्टर नहीं सुनता है और मेंबर सुनता है तो इसका मतलब यह नहीं है कि वह गाली नहीं है।

THE DEPUTY CHAIRMAN: I will look into the record. if anything Unparliamentary has been recorded, I will look into it.

श्री सुरेन्द्रजीत सिंह अहलूवालिया : महोदया, अगर रिपोर्टर को न सुनाई पड़े और मेंबर को सुनाई पड़े तो क्या वह गाली नहीं है।

उपसभापति : रिकार्ड पर नहीं है।

श्री सुरेन्द्रजीत सिंह अहलूवालिया : इसका मतलब क्या हुआ ?...(**व्यवधान**)... जब इनके पास आर्गुमेंट्स नहीं हैं तो गाली देते हैं...(**व्यवधान**)...

THE DEPUTY CHAIRMAN; Whether it is recorded or not recorded, I wil request the hon. Members that when an hon. Member is making his speech or when he is making a point, it is not proper for anybody to have these background commentaries going on. Please don't use sucb words. *(Interruptions)*

श्री सुरेन्द्रजीत सिंह अहलूवालिया : महोदय, सच का सच मानने का इनकी हिम्मत नहीं है।

THE DEPUTY CHAIRMAN; If we are talking about democracy and if somebody is making a point on democracy, there may be complaints from this side or there may be complaints from that side. But let us behave democratically over here in this House. Let us keep the *garima* of our House. Please don't use bad words. *(.Interruptions)*

SHRI M. S. GURUPADASWAMY: Madam, my specific plea is that the concepts or the reasons or the norms that you are applying to the Karnataka situation today, the same thing should be applied to the Centre. If the Karnataka Government has to go because of factions, corruption, nepotism and division within its ranks, then I demand the Central Government has got to resign and go to the poll immediateiiy along with Karnataka.

Madam, what was the situation on the eve of disnrssal of the Karnataka Government? What was the political situation? What was the legal and constitutional situation? Let us examine it. I am for examination, for cool examination. We are told' that 19 MLAs belonging to the Janata dai withdrew their loyalty to the leader. But mind you, they never withdrew from the Party as such. They never resigned Jrom the Janata Dal. *(Interruptions)* I am enlightening you with the facts for your benefit; you are so ignorant. 19 MLAS withdrew their loyalties, their support to Mr. Bommai and submitted letters to the Governor. I am not quarrelling with that. But I only remind you that they never resigned from the Party. They were in the Party. And later, some of them—13 of them—have retracted their letters. (Interruptions)

They are facts. I am telling you the facts. They retracted. The Governor in his wisdom assessed the situation and came to the conclusion that the Bommai Government has lost majority. He took into consideration the first bunch of letters submitted by the MLAs. But he never took into consideration the second bunch of letters. If the letters should be the basig for assessment and decision-taking, then all the letters have got to be taken together. More important is that these MLAs had not resigned their membership from the Party.

AN HON. MEMBER: So what?
(Interruptions).

SHRI M. S. GURUPADASWAMY: The purpose of the Anti-Defection law, I remind him, was to contain indiscipline, horse trading and other opportunistic changes in loyalties. It is just to prevent that. The Governor should have taken into consideration that they attracted Anti-Defection law. In other words, it means, they would be disqualified. The process for d'squaliflcation had to be started. He could not have taken 19 people for calculation to measure the strength of Bommai.

SHRI A. G. KULKARNI (Maharashtra) How?

SHRT M. S. GURUPADASWAMY: ... because they attracted disqualification. And there was also a long drawn out discussion in various forums that Article 356 under which the Governor has recommended im position of the President's Rule should be used very sparingly as a last resort. The presiding officers conferences, the conferences of Goyernors in the past, the committee of the conference in 1970, and over arid above that judicial pronouncements, both in the Supreme Court and the High Courts, and the latest —the Sarkaria Commission Report itself have said unanimously that article 356 should be resorted to as a last resort. Dr. Ambedkar in his speech in the Constituent Assembly, dealing with this article has said—"I hope this article will be a dead letter in the Constitution, it will never be used, and it should not be used, except in extreme cases, where there may be internal revolt, large-scale disturbances, violence and the situation becomes impossible to control and then only article 356 should be used by the Governor or by the Centre, not otherwise. Here, neither the Governor, nor the Centre did take cognizance of these recommendations, these views, never took into consideration the prevailing anti-defection law when 19 MLAs went to the Governor with their letters withdrawing the support. What should have been then the first step the Governor should have taken? He should have given an opportunity to Mr. Bommai to prove his majority in the House. The Assembly and the Council were only adjourned, not prorogued. And Mr. Bommai said he was prepared to prove his majority in the House and the Sarkaria commission had this to say regarding such a situation and I quote: "The Governor should not determine the issue of majority support on his own outside the Assembly. The prudent course for him would be to cause the rival claime to be tested on the floor of the House." He then goes on to say. "The Governor cannot dismiss the Council of Ministers so long as they continue to command a majority in the Legislative Assembly". Further he says: "If during the period when the Assembly remains prorogued, the Governor receives reliable evidence that the Council of Mmisters has lost the majority, he should not as a matter of constitutional propriety—mark these words—dismiss the Council unless the Assembly has expressed on the floor of the House its want of confidence in it. He should advise the Chief Minister to summon the Assembly as early as possible so that the majority may be tested." He again says: "Thirty days may be given to the Chief Minister for test-

[Shri M. S. Gurupadaswamy]

ing his majority in the House". What has happened in Karnataka? Mr. S. R. Bommai has told the Governor that the Government hag decided to summon the Assembly and the Council; Assembly on the 27th and the Council on the 2nd May and he has said that he was prepared to prove his majority there. Further he has said, if the Governor wanted him to prove the majority immediately, he is prepared to call the session in two days, for that specific purpose. Why did not the Governor give this time to Mr. Bommai? The Governor sent the report on the 19th, and the Central Government took the decision on the 21st. How did they behave on 21st? Lok Sabha was in session; we were not in session. At the fag end of the day—it was Friday; there were two or three short adjournments moved by the Government; when very few were there, about a handful of members, when darkness was setting. Perhaps my friends in the Congress always do things during darkness, and so when darkness was setting the proclamation was laid on the Table of the House.

SHRI BUTA SINGH; On a point of order. Is it open to the hon. Members to question the decisions of the other House? The House was duly constituted; if was full, and he is questioning it. I think it is not fair ... *(Interruptions).*

SHRI M. S. GURUPADASWAMY: I am not questioning the proceedings in Lok Sabha; I am only questioning what happened. Is it not so?

SHRI BUTA SINGH: Vote was taken; the House was fully constituted; it was more than what is required for the quorum in the House. It is not fair on the part of the hon. Member to say that the other House was in dark... *(Interruptions)* .

SHRI M. S. GURUPADASWAMY; I never questioned it. I only said when the House was thin; very few people were there. Mark my words. I am more careful; i have more experience in Parliament than you; much more experience in Parliament than what you have. You have to learn many things... *(Interruptions)*

THE DEPUTY CHAIRMAN; Don't discuss what happened in the other House.

SHRI M. S. GURUPADASWAMY: I am not talking about it... *(In\terruptios)*

THE DEPUTY CHAIRMAN; Don't talk about the other House.

SHRI M. S. GURUPADASWAMY: What are you saying? What I said was... *(Interruptions)*

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): What is wrong to say about the time they selected for making this announcement in the other House? *(Interruptions)* .

THE DEPUTY CHAIRMAN; Many a time we have said that we are not going to discuss what happens in the other House.

SHRI M. S. GURUPADASWAMY: But I am not discussing that.

THE DEPUTY CHAIRMAN; Whether there were five Members or twenty Members, we are not concerned with it, You make your own point; that is all.

SHRI M. S. GURUPADASWAMY: I am not discussing what hag been decided in the Lok Sabha. I have not touched it at all. I have said that it was at the fag end of the day. May i say, at least if it pleases you in particular and pleases them, also...

THE DEPUTY CHAIRMAN: No, I take objection to that. It pleases this House that we should not talk about it.

SHRI M. S. GURUPADASWAMY-. What I have said is, 'if it pleases yoa\

That is what I said... *(Interruptions).* Are we in Parliament or...

THE DEPUTY CHAIRMAN; It is the convention of the House that you should not talk whether there were many Members or less Members or quorum was there or not. It is not our concern. You can say it was proclaimed in the Lok Sabha, and that is all.

SHRI M. S. GURUPADASWAMY: I have not said about the quorum at all. 1 am more responsible than these people. Let me tell you that I am very careful in the use of my words. Please appreciate that I am very careful about the use of my words... *(Interruptions).*

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): There was boycott in the Lok Sabha. How can they know?

SHRI M. S. GURUPADASWAMY: All I say is that the Congress Government in the Centre and the Congress Party are fond of talking about horse-trading, political horse-trading. I do not subscribe to this horse-trading at all. Let me make it very clear. If it is done by my party, I will condemn it...

SHRI SUBRAMANIAN SWAMY: Yes, condemn it.

SHRI M. S. GURUPADASWAMY: And if it is done by them, we condemn it. But they have referred to it as one of the reasons why my Government was dismissed. May I remind Mr. Buta Singh? He is very short-sighted, perhaps. May I remind him? Is there no horse-trading in your party? Please tell me is there no... *(Interruptions)* horse-trading in your party?

SHRI SUBRAMANIAN SWAMY: You are no different from them.

SHRI M. S. GURUPADASWAMY: Are there no shady deals struck by your partymen for various reasons? Are there no unethical activities indulged in by some of your partymen?

THE MINISTER OF STATE IN THE DEPARTMENTS OP YOUTH AFFAIRS AND SPORTS AND WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA): What deal did you strike with Mr V. P, Singh?

SHRI M. S. GURUPADASWAM^ Don't be very touchy.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRl M. M. JACOB); Is Mr. Gurupadaswamy trying to justify horse-trading?

SHRI M. S. GURUPADASWAMY: My point is •..

SHRI DIPEN GHOSH; They are trading in donkeys and the others are trading in horses.

THE DEPUTY CHAIRMAN; It is very unfortunate that we label our politicians as horses and donkeys.

SHRI M. S. GURUPADASWAMY: You have heard him say 'horse-trading'. He said it. He has used this expression. I am only using his expression .

SHRI BUTA SINGH; The Governor has said this.

SHRI PARVATHANENI UPENDRA: He was made to say that.

SHRI BUTA SINGH; 1 have read the Governor's report.

SHRI V. GOPALSAMY (Tamil Nadu): He has simply put his signature.

SHRI BUTA SINGH; My experience is that horses and donkeys are much better than the politicians who offer themselves f°r sale.

SHRI M. S. GURUPADASWAMY: Madam, just now you said that we should not degrade our politicians.

THE DEPUTY CHAIRMAN; I did not say. Being a zoologist, I cannot degrade the animals also.

SHRI M. S. GURUPADASWAMY: I am quoting your own words.

SHRI VITHALRAO' MADHAVRAO JADHAV: Man is also an animal.

SHRI M. S. GURUPADASWAMY: I do not want to comment on that.

My charge is that the Chief Minister was not given an opportunity to prove his strength in the Assembly. The Governor should have taken this into consideration. Only as a last resort, after all other alternatives had failed, only then, the Governor should have recommended the imposition of President's Rule and not otherwise. This is the report of the Sarkaria Commission. May be, the Government may take a position that they have not accepted the Sarkaria Commission's report yet and, therefore, this question does not arise. May i ask him in all humility? The Sarkaria Commission was appointed by the Central Government. The Central Government gave an assurance to the State Governments that they should wait till the Commission gives its report and then the Central Government would consider the report and give its decision. May I ask whether the Home *Minister... (Time-bell rings)* I will take a little more time.

THE DEPUTY CHAIRMAN; You have already taken more time.

SHRI M. S. GURUPADASWAMY: What more time? You cannot scuttle my speech.

THE DEPUTY CHAIRMAN: We have to run the Business of the House, on a certain time-schedule, Mr. Gurupadaswamy.

SHRI M. S. GURUPADASWAMY: I agreed with you. We can sit longer.

THE DEPUTY CHAIRMAN; Sitting longer does not mean that we should sit through the whole night.

SHRI M. S. GURUPADASWAMY: I am not saying that we should sit through the whole night. Why are you behaving like this towards me?

THE DEPUTY CHAIRMAN; I would request you to lower your voice when you are speaking to the Chair.

SHRI M. S. GURUPADASWAMY: You are speaking to me in a language which is unbecoming. You have insisted me. Do not insult me like this. I beg of you.

THE DEPUTY CHAIRMAN: You have got 24 minutes and I am going to stick to it. *(Interruptions)*

SHRI M. S. GURUPADASWAMY: You should talk to me in a better language. *(Interruptions)* I am not here to learn lessons from you. *(Interruptions)*

THE DEPUTY CHAIRMAN; I am here to conduct the Business of the House.

SHRI M. S. GURUPADASWAMY: I do not deny that.

THE DEPUTY CHAIRMAN; I have to stick to the time-schedule and I cannot allow you more time just because you are making a speech. *(Interruptions)*

SHRI BUTA SINGH; He should keep his balance. He cannot question the Chair.

SHRI M. S. GURUPADASWAMY: I am not questioning the Chair. *(Interruptions).* You should address me properly. I am not Tom, Dick or Harry here.

SHRI BUTA SINGH: You should keep balance. You are intimidating the Chair. This is not fair on your part.

SHRI M. S. GURUPADASWAMY: I want the respect to be shown to me. That is all I want. *(Interruptions)*

SHRI N. K. P. SALVE (Maharashtra): Madam, the Leader of the Opposition is entitled to the respect of the entire House whichever side he may be sitting, but humbly I want to submit that the Leader of the House, Mr. Gurupadaswamy, my friend is a great gentleman. If he does feel that he is offended on something on a remark of the Chair, the minimum he will do is not to show the discourtesy which he is showing by raising his voice, the manner in which he has done, and creating an impression that he is challenging... *(Interruptions).* May be, it is my misapprehension, but I am appealing to the Leader of the Opposition. ..

SHRI B. SATYANARAYAN REDDY; Don't think that you are alone.

SHRI N. K. P. SALVE; I am appealing to the Leader of the Opposition who is a great gentleman, not to behave in a manner as would appear that he is challenging the verdict of the Chair. *(Interruptions).*

SHRI M. S. GURUPADASWAMY: Madam, i regret if any of my words have caused annoyance to you' I do not want to cause any annoyance to you.

THE DEPUTY CHAIRMAN; Probably, you forgot whether you were speaking to this side or to the Chair. I do not mind.

SHRI M. S. GURUPADASWAMY: Num, I do not want to cause any annoyance. *(Interruptions).*

THE DEPUTY CHAIRMAN; Actually I had said in the beginning that let us not make heated arguments to an extent that this House becomes a *Lakshagraha* when you mentioned about the Mahabharata.

SHRI DIPEN GHOSH; Let it be made of glass panels and not of wooden panels in that case.

THE DEPUTY CHAIRMAN: Let him continue and finish. He has already exceeded his time.

SHRI M. S. GURUPADASWAMY: Madam, I will be very brief. You have cautioned me and, therefore, I will be very very brief.

Madam, if Bommai had refused to go to the Assembly to test his strength, then and then only you had a chance or an opportunity or a right to say, "you have not behaved well, that you are not prepared to face the assembly and, therefore, this action of yours is justified". But Bommai was saying again and again to the Governor that he was prepared to go to the Assembly to test his strength. Let me tell you, Madam, we have to lay a sound political norm, standard and practice in this country to strengthen our political system, parliamentary structure. You should accept this salutary principle. Whenever there is a doubt raised against a Chief Minister that he has lost the majority in the House, alternatives have got to be pursued by the Governor. He should give an opportunity to the other person who claims that he is prepared to form the Government. What happened in 1969, may I ask? My riend Mr. Buta Singh was there. He was the Minister with me. What happened in 1969 when I resigned? I was the first to resign when the Congress Party split. At that time also there was a split in the Congress Party and Mrs. Indira Gandhi was reduced to a minority in Parliament. My Communist friends came to her rescue at that time. You are blaming the Communists now because it does not suit you.

SHRI N. K. P. SALVE: No, no, we do not blame them.

SHRi M. S. GURUPADASWAMY: Other independents came to your rescue. My point is, she had no majority in 1969 after the split. Then if this yardstick were to be applied, had it been applied at that time, Mrs. Indira had to resign and go. She did not resign. The Opposition did not demand that. I was the official Leader of the Opposition at that time

[Shri M. S. Gurupadaswamy] sitting here in the same place. : never demanded it. We debated, bu1 nsrer demanded the resignation oi Mrs. Indira Gandhi; because we die not like to stabilise. There may be splits, there may be factions in the party. If we differ, we go out. We never want the Central Governmenl to intervene. We do not expect the Central Government to have this butcher's mentality which they are showing today against Karnataka. We did not want Indira Gandhi to resign in 1969. We wanted her to continue. And she continued till 1972. We supported her in 1971 in the Bangladesh war. I want to just remind my colleagues—I feel sorry, I belonged to that party once upon a time—what are you doing now? You are taking a self-ruinous, destructive course. You are destroying the political norms, the political morality. If Bommai is corrupt, let him g'o. But if you are corrupt, you should also go. If there is misrule in Karnataka, the Janata Government should go and if there is misrule here, you should also go. That is the only thing 1 am asking. There fore, I would like...

SHRI N. K. P. SALVE:: You are justifying the other?

SHRI M. S. GURUPADASWAMY: I am not justifying at all. But 1 would like to say that the action taken by the Centre is arbitrary, immoral, unconstitutional and unethical and they want to divert the attention of the people by imposing President's rule in Karnataka.

I am reminded of a famous phrase of H. G. Wells . Seeing the confusion, anarchy and uncertainty prevalent in England of his time, he said this about the Government of Churchill. He was attacking Churchill at that time. "The politics of Churchill", he said "is a pitiful jumble of incoherent nonsense". I repeat, the Central Government is pursuing, what I call, "a politics of pitiful jumble" and indulging in what I call "incoherent nonsense," all along. It cannot justify Itself. I would like the Government of India not to misuse or abuse Article 356 and keep it as a Damocles sword on non-Congress governments. They have been doing it aH along. Let me remind my friends here, we are coming back to power in Karnataka. Nobody can stop it. *(Interruptions)* . I demand early elections. Let there be early elections within four months.

SHRI SUBRAMANIAN SWAMY: Your public meeting was a flop in Bangalore. Take note of that.

SHRI M. S. GURUPADASWAMY: Mrs. Margaret Alva wantg to congratulate me in advance. I take her congratulations. Dr. Subramanian Swamy....

SHRI DIPEN GHOSH: Dr. Subramanian Swamy and Mrs. Alva have no chance of going back to Bangalore.

SHRI M. S. GURUPADASWAMY: __I would never criticise him because he knows it. But let me remind him, we are going to come back to power in Karnataka.

SHRI SUBRAMANIAN SWAMY: Oh, Oh, if you get more seats than the Maharashtra Ekikaran Samiti, you will be lucky in Karnataka.

1.00 P.M.

SHRI M. S. GURUPADASWAMY: Madam, finally I say one word. I am reminded of Shakespearean plays. Mr. Buta Singh, if you are a student of literature, ------

SHRI DIPEN GHOSH: Never!

SHRI M. S. GURUPADASWAMY: . .you must have heard of Cassius in Julius Caesar.

SHRI KAMAL (MORARKA (Rajasthan): Cassius he has not heard of.

SHRI M. S, GURUPADASWAMY: You have heard of Cassius and you must have heard of Macbeth..... (Interruptions) ...

SHRI DIPEN GHOSH: He has got -the knife of Macbeth !

SHRI M. ,S. GURUPADASWAMY: You must have heard of Macbeth, Lady Macbeth in particular. The Government of India has the mind of Casslus and the hand of Lady Macbeth. Don't use....

SHRI A. G. KULKARNI; Use the word "lady", not Macbeth!

{Interruptions)

SHRI M. S. GURUPADASWAMY: I did not hear ---- (Interruptions)[1] ___

SHRI A. G. KULKARNI: Mr. Buta Singh understands the meaning of the word "lady." What Macbeth is, he does not understand.

(Interruptions)

SHRI ,M. S. GURUPADASWAMY: Mr. Kulkarni, at least, can you understand Keechak in Mahabharat?... *(Interruptions)* ...Let not Rajiv Gandhi use the brain of Cassius and the hand of Macbeth. That's all I say, Thank you very much.

SHRI , H. HANUMANTHAPPA (Karnataka): Madam Deputy Chairman, I was only feeling sorry for the senio'r leader, Mr. Gurupadaswamy, that by virtue of his post he has been called upon to do an unpleasant job. If he has gone out of the way of his usually calm, quiet and silent manner and got enraged, then you know very well that he was defending a very weak case and that is why he has to go out of his usually pleasant calmness.

Madam, he started by saying that it was the saddest day for Karnataka. Prom 21st onwards he continued to live in Delhi, he stayed in Delhi, and he does not know what the mood of Karnataka is. If it wag the saddest day, the people of Karnataka would not have kept quiet. Here I draw one analogy. The day their Government imprisoned Mrs. Indira Gandhi was the saddest day for Karnataka when the entire Karnataka revolted and everywhere there were demonstrations.

AN HONOURABLE MEMBER; Organized

SHRI H. HANUMANTHAPPA: That you also do. Why do you talk Mr. Chandre Gowda? I know, having been in power for six years, you could not even organize.

SHRI D. B. CHANDRE GOWDA (Karnataka): Why do you take my name? I have not even opened my mouth.

SHRI H. HANUMANTHAPPA: Okay. You could not even organize those demonstrations. You wanted to do it but, as the press has very well observed, "Finding the public response indifferent to such a course, they decided to observe the 27th as a protest day." So, this is the public response! I was just disproving what Mr. Gurupadaswamy has said, that it was the saddest day for Karnataka. The press further 'reports:

> "The public mood was best reflected in the former President, Mr. Neelam Sanjiva Reddy, a great votary of Janata politics, who was given a free house here by the Government, refusing to join the Opposition bandwagon."

So, this is the public response! This is the mood of the public! if you do not read the writing on the wall, then I am sorry. Mr. Gurupadaswamy is claiming that they are coming back to power in Karnataka, and I only feel sorry that they are not reading the writing on the wall.

Madam, you can fool all the people for some time, you can fool some people all the time, but you cannot fool all the people all the time. With all the sermons that he had quoted—sound norms, principles, value-based politics, etc.,—the people of Ksrnataka voted them to power in 1983. You said that 35 years of misrule of Cong-

[Shri H. Hanumanthappa]

ress was 'replaced by the people of Karnataka. I am sorry to remind you that out of these 35 years of Congress rule you we're a partner for 24 years. Of course, his friend, Mr. Gurupadaswamy was a partner for 22 years and another two years extra when he was out of power. So, you were responsible for a major portion of it. Why do you blame after going to that side? Whoever is sitting here is a black sheep, and the moment he joins you, he becomes a white sheep! What can I do? Today you want the Governor to be recalled. Do you want to make him another Propaganda Secretary? Just four years ago you demanded resignation of Mr. Ram Lal, dismissal of Mr. Ram Lal, you wanted to call him back, and today you are guided by his principles. Is he going to be your Propaganda Secretary?

SHRI SUBRAMANIAN SWAMY: Arun Nehru also.

SHRI H. HANUMANTHAPPA; I do not want to go to others. After aH, Mr. Gurupadaswamy.s Resolution is for the Governor's recall. Even if this Governor is 'recalled, Mr. Gurupadaswamy will be disappointed. He may not join as Propaganda Secretary.

SHRI PUTTAPAGA RADHAKRISHNA (Andhra Pradesh): Mr. Hanumanthappa is expecting Mr. Venkatasubbaiah also to go to the Janata Dal.

SHRI H. HANUMANTHAPPA; Mr. Radhakrishna will be disappointed. That is what I wanted to say.

SHRl PUTTAPAGA RADHAKRISHNA: You are quoting Mr. Ram Lal, are you not?

SHRI H. HANUMANTHAPPA: I leave it to you.

Madam, very much I was talking about value-based politics. The Karnataka people actually wanted a government which can give them value-based politics. Certainly Mr. Gurupadaswamy knows it very well, and my other friends on the other side know it very well that it became value-based. Value was fixed for every work of the Government, value has been fixed for every work that has to be turned out in the Government. That is why, the MLAs, even to change their sides, have demanded ten transfers. They were offered Rs. 20 lakhs, one Maruti car, one plot and ten transfers. What do you mean by transfers? Actually I was one of those MPs. Mr. Gurupadaswamy and other friends from the Opposition were witness to it. Actually I told the then Chief Minister, "Mr. Chief Minister, you are claiming value-based politics. But I am seeing in the State there are only value-based transfers, not value-based politics." Actually I got only a laugh, a smile from his face. It was not even rebutted by the Chief Minister in the MPs meeting. My dear friend, Mr. Gurupadaswamy was a witness to it. That was, of course, acknowledgement. Madam, to what exten did it go? Actually, this part of the country does not know what was happening in Karnataka because Karnataka is far away from Delhi. The northern people are drawing only inferences from the newspapers.

SHRI D. B. CHANDRE GOWDA; Actually it is far away from Bihar.

SHRI H. HANUMANTHAPPA: I know. That is the trump card you used. You were asked to rule Karnataka. But every time you are quoting Bihar, Orissa, Delhi. That was not liked by the people. You please go back to your first budget that you placed in the Karnataka Assembly, every para, every sentence of that budget speech you used to criticise the Central Government budget. That was not your business. You were called upon to rule the State. You should have ruled the State and given administration, given welfare activities, welfare programmes to the State. What has been your behaviour? out of 2005 days, 1403 days you were outside. For 2005 days you were the Chief Minister.

SHRI D. B. CHANDRE GOWDA: That is not the subject here.

SHRl H. HANUMANTHAPPA: i am sorry. You said "the saddest day." That is why I am telling why the people of Karnataka did not feel the sadness of the day. That is why I am telling you that it is the happiest day fo'r the people of Karnataka. That is why I am telling why you were thrown out. Sorry, One who wants to throw stones, should be ready to take stones also. Please be patient.

What was the situation in Karnataka? Maladminstration, inefficiency, corruption, scandals. Mr. Gurupadaswamy was vehement in asking about Bofors, subamarine, Fairfax and everything else. But he conveniently forgot Madhuban, Ravjeet, the NRI society housing, 11,000 acres of land around Bangalore being given away at throw-away prices for co-operative societies, even, of course, bottling, telephone tapping and a number of other things. Why do you forget that you are also living in a glass house? That is why I said Mr. Gurupadaswamy actually has been called upon by virtue of his post to defend a weak case and an unpleasant job. To what extent did it go? The entire Karnataka treasury was looted. First time in the history of Karnataka since independence even Rs. 50 cheques bounced, Rs. 100 cheques bounced. Pensions were not paid. Salads were not paid on time. Even accident victims were not paid the compensation. If this was the situation with the Karnataka Government, if the Government goes, will the people feel that it is the saddest day? *(Interruptions)*

SHRI K. G. MAHESWARAPPA (Karnataka): I am on a point of order. We are not discussing about the performance of the Karnataka Government. *(Interruptions)* Please hear me. We are not discussing the performance. Even assuming the performance was bad, the main point is whether the action of the Governor Was according to the Constitution. That is the main point. My friend does not know about it. So, let him confine to the point.

SHRl H. HANUMANTHAPPA: There was a breakdown of the administrative machinery in Karnataka. That has to be pointed out.

SHRI K. G. MAHESWARAPPA: Even assuming the performance in Karnataka was bad, the point is does such a situation call upon a Governor to recommend the dismissal of the Government even though it has a majority?

THE DEPUTY CHAIRMAN He is making his point. He has a right. There is no question of a point of order. *(Interruptions)*

SHRI K. G. MAHESWARAPPA: He may recall fo'r how many days your Chief Ministers remain in Delhi. For how many days this or that Chief Minister of your Party is coming to Delhi? What are you talking?

SHRI H. HANUMANTHAPPPA: My dear friend is agitated that I should speak only relevant things. What is relevant becomes irrelevant to him. What can I do? When it becomes unpalatable it becomes irrelevant. 1 come to you Mr. Mahesswarappa. You said about the action of the Governor. Your leader just now said when there is a doubt about the majority, then the Governor should go. I am picking up his own words. It is clear mathematics. 118 minus 19. Why should the Governor entertain any doubt? If he does not know mathematics, then only he should entertain doubt and then ask Bommai to call the Assembly and test his strength. He knows the mathematical calculations say you have been reduced to minority.

SHRI DIPEN GHOSH: Not mathematical but Arithmetical.

SHRI H. HANUMANTHAPPA: Anybody would have called him a •Buddhu' if he did not know that much of mathematics. If he enter-

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tained that doubt, yes I agree with your leader.

THE DEPUTY CHAIRMAN; Mr. Hanumanthappa, Mr. Dipen Ghosh's suggestion is that you don't have to go to mathematics. Arithmetic will solve your problem.

SHRI H. HANUANTHAPPA: Yes, arithmetic will do. Simple arithmetic I will come back to you. What was the situation on 31-12-1977? Deliberately and intelligently my friend, Mr. Gurupadaswamy is forgetting it. What Was on that day the situation? Devraj Urs was enjoying majority. He had told the Gove'rnor that he was enjoying majority. The House was already called. Here it wae not called. The House was already called on 3rd January.

SHRI K. G. MAHESWARAPPA: Here also it was called.

SHRI H. HANUMANTHAPPA: No. I am prepared to correct if I am Wrong.

SHRI K. G. MAHESWARAPPA: Twentyseventh was asked for.

SHRI H. HANUMANTHAPPA: It Was an after-thought. So, in 1977 the Assembly was summoned on 3rd. On the 31st [March your Governor decides to dismiss the Government. He did not consider it necessary to wait for the trial of strength on the floor of the the House. Why? When the Chief Minister claimed that he had a major_ ity and called for the House,, you cooly forgot this. You want us to do only what you say but You want us not to do what you have done and what you are doing. So it cannot be like that. If you want to say something you must have done it already. To what extent you have gone? Of course, Mr. Gurupadaswamy was kind enough to say that whether this side or that side he does not support horse-trading. But your leader justifies horse-trading.

SHRI PAWAN KUMAR BANSAL: V. P. Singh.

I SiiKI H. HANUMANTHAPPA; He wants to be the alternative. He justifies horse-trading indulged in by the Janata Dal and says that the Congress to was doing it. If you want to do everything that the Congress is doing, why should the people vote for you? Why not the Congress be continued? Are you going to become an alternative by doing what all the Congress is doing? Do you want to take the people of this country fo'r a ride? They can understand at least this much. If you want to do everything that the Congress is doing, why do you think of an alternative? Why do you say that you are different from the Congress? People will feel very happy with the Congress if you are also doing the same thing. Your leader says he justifies the horse-trading.

SHRI SUBRAMANIAN SWAMY: Which paper is that?

SHRI H. HANUMANTHAPPA: *Statesman* 23rd April.

So my point is that you are also sitting in a glass-house. I do not think that Mr. Gurupadaswamy will disown Mr. Nijalingappa as his leader. Mr. Nijalingappa comes from my place. He was my leader for sometime. I was brought into politics by him and he supported the Janata Government. He was responsible for bringing the Janata Government in Karnataka. What does he say? It is on record. It is in the Press. He sasys: "I have no tears to shed. This Government should have been dismissed one year before." Why? One year before I was a candidate for the Rajya Sabha elections from the Karnataka State. As the Janata Dal indulged in purchasing their own party .MLAs now, actually last time they indulged in purchasing Congress MLAs. The money was given to the Speaker. Any enquiry has not been conducted so far. The result has not come out. Who has given the money? The Janata Party members. They have given the money. Our Opposition Leader placed

the money on the Table of the House. Who was indulging in these things? So this is also value-based politics! You wanted to purchase Congress MLAs also... *(Interruptions)*.. .The Home Ministe'r was an observer for my election. He was very much in Bangalore. We don't deny that. He had information that this is going to happen and that is why as the Home Minister of this country he has to take note of all these things. I want to say that I got 6© votes in my favour. I think I am the only person who got the higheest number of votes in the country in the Rajya Sabha elections. Congress MLAs have proved once again that they are not purchaseable commodities.

Many times, my friends quoted from the *Indian Eocpress* because of late they have made it as the Bhagvadgita, the Bible and the Koran. But now I want to quote from the Indian Express editorial dt. 22hd April for their benefit : "Every week that the Government lasted, eve'ry crisis it "overcame" only served to remind people that the Opposition leaders even even when in power, specially when in power, cannot sit together." They are forgetting about this. "The Government has been brought down by the Janata men themselves." This is the report of the *Indian* Express. This is the first lesson that will be remembered by the people for the future. They gave a party other than the Congress (I). They trusted them four years ago. That party again betrayed them in exactly the way in which it had betrayed their trust in 1977. Still Mr. Gurupadaswamy hopes that he will come back to power. I also join him. We want early election. We are prepared to go to the court of the people. We want the verdict of the people. I request the Home Minister for an early election. Let us not wait. Let us go to the people.

(Interruptions) . We are ready at any time. One more thing which Mr. Gurupadaswamy said. He said, actually the Governor has taken note of only the first set of letters and he bas not taken note of the second set of letters. Madam, this is far from truth. Actually, the papers placed on the Table of the House and circulated, say that the Governor has also taken note of the second letter and he sent a copy of that letter to the President of India, wherein it is indicated that horse-trading is going on. Seven people have withdrawn. Out of the 12 people again those two people came and said, we have been pressurised. So, We are withdrawing again." So this shows that the pressure tactics are going on and even the 12 are not voluntary. Out of the 12, two have gone back. For all arithmetical calculations, the Government in the State had lost majority. Actually, if the Government is lost, it is lost because of corruption, nepotism and infighting of the Janata party itself. You have brought down this Government. ;Mr. Gurupadaswamy knows it very well. *(Interruptions).* I am sorry, I must be excused because Janata Dal and Janata Party, they are partners. Now, Subramanian Swamy is sitting on this side. Only during this Session, Subramanian Swamy is here. We still say, it is internal because some affidavits are finalised, some have not been finalised. Only yesterday, Mr. Swamy has found a place here to sit. If what I attribute, it is the Government of the day whether it is Janata Dal or Janata Party or whatever it is... *(Interruptions)*... Just two months before, Janata Dal people in Karnataka hailed the decision of the Governor on which we were upset. The Government could have gone. Now after that they say that Mr. Buta Singh as the Home Minister has master-minded all these things. He could have done it very well on that day. He could have advised the Governor not to recognise the party. The Government would have gone two months before. *(Interruptions)* ... No, no, what you allege, I am talking about that. If he wanted to master-mind all this, he could have done it on that day much against the wishes of so many Congressman sitting this side. The Governor acted

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on his own and he recognised the Government. The Government which you have lost today, it was given by the Governor on that day by his wisdom. I do not question it. Now, when he again acted on his own you are accusing the Governor and ' you ask him to be called back. There Is no justification in the resolution moved by Mr. Gurupadaswamy. The Governor has acted wall under the Constitution and Karnataka people are happy. Perhaps, Mr. Gurupadaswamy might have not got the report. The people have d'stributed sweets and have burnt crackers. *(Interruptions)*. I have already told you. *(Interruptions)*. I agree that I have organised. At the same time, I want to tell you that you could not organise a demonstration. What are you talking? Mr. Maheswarappa may be knowing, in his own place, sweets are distributed and crackers are burnt. We have not organised these things. People are happy. It is not the saddest day. Perhaps it is the happiest day for the people of Karnataka *(Interruptions).* One more point Mr. Gurupadaswamy raised is about the reports of the committees in 1970 that Article 356 should not be applied indiscriminately and the strength should be allowed to be tested on the floor of the House. I think the Janata Government very cleverly forgot this in dismissing the Devaraj Urs Government and in dismissing, subsequently, eight or nine governments. If you say we are politicians and we are doing the same job, yes. But do not fool the people. People are too wise to be fooled by you when you say that you will be the alternative and you will give a clean government while justifying horse-trading. You talk of value-based politics. Perhaps the people of Kamataka know very well what value-based politics is. Every transfer, every patta, every loan, has value. Even transfers have value. Officers were telling, "You wait for another two or three days. At least we will get a transfer order. We have paid for it. But we are not getting it." Even the press has reported this which is not contradicted by the Janata Ministry. Some of the Ministers were busy on the previous night signing transfer orders. Nobody has contradicated this. It is still on record. This is the state of the Government we had in Karnataka and the people are happy today that that Government has been dismissed and the mood of the people is exhibited. There is no protest . There is no feeling They are hpppy and they are distributing sweets. Therefore, Madam, I support the resolution moved by the Home Minister and vehemently oppose the motion of disapproval moved by Mr. Gurupadaswamy. Thank you.

THE DEPUTY CHAIRMAN; The Business Advisory Committee has allotted one day, that is, four hours, for this discussion. As the Chairman has a dinner for the Members of the Opposition and the leaders this evening, I propose to the House that we dispense with the lunch hour and continue the discussion if the House sowishes. I think everybody agrees. Now, Mr. Balanandan.

SHRIE. BALANANDAN (Kerala): Madam, I rise to support the motion moved by my hon. friend, Shri Gurupadaswamy. Mr. Gurupadaswamy has marshalled facts to prove that the action taken by the Governor of Karnataka cannot be justified. The argument made by the Governor was that the Government of Karnataka lost majority. He also stated that as expected, there was horse-trading. Therefore he rocommended that action should be taken against the Government under Article 356. Madam, the point raised by Mr. Gurupadaswamy was that if horse-trading, good Government, etc. etc. should be taken as the criteria, then that should be applied generally for aH the States. There must be a general standard. There should not be one standard for non-Congress (I) Governments and another for Congress (I) Governments. Double-standard should not be there. That is amply stated by him.

[The Vice-Chairman (Shri B. Satyanarayan Reddy) in the Chair].

Now, Sir, I want to invite your attention to another point. Governorship is now being utilised by the Congress (I) party at the centra as a tool. What they want to do politically is being done through the office of Governor. Who are these Governors, many of them? They come like this. Many persons who are found incapable of being ministers in States are transferred to the centre. When a Central Minister is found to be unfit, he is transferred to a State. And another man who is found unfit for the State as well as the Centre is transferred as a Governor. This is the position today. What do these gentlemen do? They are not functioning as custodians of the Constitution. This point of Article 356 was a point under debate for very long. When Article 356 was introduced in the Constitution, as has been quoted by my friend, Mr. Gurupadaswamy, the architects of the Constitution then said this Article 356 should be very sparingly used if at all it becomes necessary to use it. But four years after the Constitution came into force it was used in PEPSU. It was used in 1959 in Kerala, What wss the position in Keralp then. Kerala Government had a majority in the House. And yet it was used aeainst. KeraIa Government. President's rule was imposed under the dictates of the Central Government. There was no justification. Some arguments can be made for everything. For killing one's mother also some arguments can be made. At so many places in our literature we find arguments. What happened then? Afterwards whenever the Congress-I Party wanted to scuttle a Government, they would use Article 356 for dismissing that Government. What is the latest position in Karnataka? The Karnataka Chief Minister said the Assembly would be called on the 27th. But on the 21st the Assembly was dissolved and the Government was dismissed. What would have happened if the Governor had waited for six or seven days and allowed the Assembly to meet for testing the Government's majority? Nothing would have been lost. As everyone of us know, the Sarkaria Commission has gone deep into the question and has marshalled the facts—that this Article 356 has been used 13 times, 14 times, without a proper cause. The Commission has then suggested a remedy that in no case should the strength of the majority be allowed to be tested outside the Assembly, outside the Legisltaure, by asking the MLAs to parade before the Governor or by the Governor being satisfied with letters written by some MLAs, No; Justice Sarkaria said positively that it should be decided in the Legislature alone. He also suggested that sufficient time should be given—30 days was suggested. But what bappend in this case? in this cose the Assembly was not prorogued. The Assembly had only adjourned. It had been in session. Therefore, it was only proper for the Governor to allow Mr. Bommai time to have the Assembly convened and his strength tested there. But that has not been done. I must tell the Government, any step taken by the Government, perhaps for narrow interests or political interests, should not be allowed to go against the interests of the country. I give you another example. What happened in Kashmir? After elections in Kashmir the Congress-I Panty organised defection of twelve MLAs 9nd all the twelye MLAs were made Ministers in G. M. Shah's Government. Isn't it borse-trading? I am not going into that aspect as a point. I am only pointing out to you that the National Conferenec which had the confidence of the people and which had the tradition of fighting for national unity has been weakened by the Congress Party's step supporting Mr. G. M. Shah, and that too by organising defections. What is the present position today? I do not want to go into details. The present position in Kashmir is that the forces which supported national unity have

[Shri E- Balanandan]

been weakened and the forces which wanted to disrupt national unity and the elements which want to organise trouble against India to support the pro-Pakistani froces have grown stronger because of the step taken in Kashmir by the Congress (I) Government through the Governor by organising defections. This is the result now. This is what has happened now there. In spite of the decision and recommendation of the Sarkaria Commission this is being done. If you go into the history, you will find that not only the Sarkaria Commission has said this, but also the Administrative Reforms Commission has said the same thing. Here I would like to quote what an eminent jurist said. In 1967, an eminent jurist, the late Mr. M. C. Setalvad, stated like this: "Circumstances developed in the past and I think there was a radical fall in the standard of selection of Governor. The post came to be treated as a sinecure for the mediocre or a consolation prize for what is sometimes referred to as a bolt on politicians."

This is what Mr. Setalvad had said. Also, in 1969, the Administrative Reforms Commission said:

"The situation considerably deteriorated since two members of the ruling party who had to resign from office as Ministers following strictures by the .iudiciary -were again appointed as Governors." Sir, I wish to bring to your kind notice that the post, the post of Governor is being given to people who have been found guilty by the judiciary and they are given Governorship! Therefore this kind of Governors are acting like this. We know in the Karnataka case that the Governor, Mr. Venkatasubbaiah has bean pressurised for months to dismiss ths Government. The papers were full of reports that Mr. Venkatasubbaiah had refused to accent the suggestion given by the Centre to dismiss the Gavernment of Karnataka. Everybody knows this. Now, what happened? The pressure from the Centre increased and the resignation letters or the letters sent by the I MLAs to the Governor have been used as an alibi for dismissing the Government there. This is the situation. Therefore, I am suggesting here that this method should be put an end to. The argument now put forward by my friends on the other side is that the Government there had committed many wrongs. Are you sure that the Congress (I) Government at the Centre and the Congress d) Governments in States are doing only the correct things? We know that in Bihar, the Assembly could not even meet and the Budget session also could not be held because there was dissension in the Congress (I) Party. Then a month's time was given to the Government to prolong itself. Also, in the case of Andhra Pradesh, a minority Government was installed and it was given one month's time to prove its majority. Then also the Govenor did not act. But, when the question of the Congress (I)'s convenience comes, the Governors actually give ample time one month or two months. When the question of the Opposition comes, they do not give time and they act immediately and do this. They do this whenever they want to see that the Government is dismissed. I would like to submit that if this is being allowed. then the Congress (I) Party is taking the country, is taking the neonle for granted. Who is to decide whether a Government is good or bad. Is it the Governor who is to judge if. as I have said, Governors are these kinds of people? The neople are to judge. You have to give a chance to the peonle to judge. And till elections are held, the elected Assembly Members are to decide whether the majoritv is there. And that is to be tested on the floor of the Assembly. That is the method. Everybody who is a democrat will agree. In a federal set-up we have the right, the people of India have the

right, to have their own Government in the State, rather than the Central Government. Here now we have Opposition Governments in several States. In my State we are having a Governor. I do not want to say anything against her. But I am sorry to say that she is going beyond the constitutional priorities. And also in Andhra the Governor is creating trouble. Through these methods the Congress-I Government is scuttling democracy and the Constitution. If this method is continued, can our Constitution and our national unity be protected? Today we are going to see that in States after States some kind of dissention is worked out by those forces who want to disturb the unity of the country. And the Central Government should, be doubly cautious now to act. Using the lever of Governors, if these kinds of steps are taken, instead of unity, national disruption will come as a result of this. We see what is going on in Punjab. We know what is going on in Kashmir. In the light of this, these kinds if steps ruin us and it is harmful, it is treacherous, for the unity of the country. Anybody who is conscious to protect India's unity, anybody who wants to have democracy developed in this country, should not support the motion of the Home Minister now placed here and must support the motion placed by Shri Gurupadaswamy from the Opposition.

Finally, I want to say, Sir, that Congress-I rulers now boast that they are trying to support value-based politics. What is the value? My friend was saying that the value is so much. Everywhere Congress-I is in doldrums. The main work of Congress-I legislators in all the States is to fight against their own Chief Minister. All the Congress-I legislators join together and say that their Chief Minister should be immediately removed. This meeting, that meeting, the Prime Minister's meeting, meetings after meetings, are giong on. And also you see that all these fellows are given so many things. Somebody told me that today the rate in so many Congress-I States for staying inside, in their own party, is so high that I cannot imagine; that runs into several lakhs per MLA. *(Interruptions*)

SHRI M. M. JACOB: Your own State of Kerala... *(.Interruptions)* See whether there is any. ..'

SHRI E. BALANANDAN: That is why you are bringing Mr. Karuna karan to Delhi. Mr. JACOB is well versed in KeraIa affairs. He is thinking of so many things about Kerala.

THE VICE-CHAIRMAN (SHRI B SATYANARAYAN REDDY) You are also from Kerala.

SHRI DIPEN GHOSH: He is bringing Mr. Karunakaran to Delhi.

SHRI E. BALANANDAN: Being a Keralite, my friend Mr. Jacob knows what an Opposition Government in KeraIa means. I challenge—Mr. Jacob also agrees with me in private; he cannot say it here—that the Government in the State is corruption riddan. I do not say that no other Governments are corrupt... *(Interruptions)* I respect Mr. Jacob as one of the senior Congressmen. He understands values sometimes. But now he is also being forced to say something. I cannot help him. However, the point that we are making is that we should not deviate from the principle that the Governorship should not be used for deriving political advantage. The Governor should not act beyond the Constitution. What is stipulated and envisaged in the Constitution should be the framework within which these Governors should act. I must say that if the Congress (I) Party is not going to care for the Constitution, for the principleS, for value-based politics and if the decisions and directions of the Sarkaria Commission, Administrative Commission or the opinion of all the jurists are going to be ignored by **the** Congress (I) Party, then mind you friends, people are conscious of these

[Shri E- Balanandan]

things and the people are going to take you to task. Mind you that the end of Congress (I) is coming soon. With these words, I support the Motion of Shri M. S. Gurupadswamy.

SHRI A. G. KULKARNI: Mr. Vice-Chairman, Sir, I rise to support the Motion moved by the hon. Home Minister about the Governor's report placed on the Table of the House. I am really surprised. I have been listening for so many years about this Article 356 and recently about the Sarkaria Commission. My earlier friend also just now said about the Sarkaria Commission. He also said that the people will take care of it. That is the tragedy. People are taking care of whatever they want. They will take it and they will show their mind in the elections. But we are trying to befool ourselves and thinking that the people are with us. They are not. I do not want to go to the extent of denouncing the politicians as donkeys. I really don't like that. I am a person with self-respect. I like to have my own respect. I am a politician. I believe in it. My friend talked about what people will say and about value-based politics which provoked people to laugh. What is the value-based politics that he is talking about. Sir, unnecessarily my friend provoked me to talk about the Sarkaria Commission anr(the value-based politics. I will come to the value-based politics later. If I forget, please remind me. I will just give the House my views on that.

I listened very carefully to my friend, Mr. Gurupadaswamy. Today he was a little emotional in putting logic before us. It is not required by us, at least, the senior Members to know from Mr. Gurupadaswamy what is Article 356 and what is Sarkaria Commission. All this we know. Why did Sh'ri Gurupadaswamy raise his voice today? Otherwise he always speaks sweet. He raised his voice. I think he was more emotional. He was blaming the Governor. Now Mr. Venkatasubbiah is our old friend. He is a very nice gentleman, a very soft man. Mr. Gurupadaswamy was also with us. *(Interruptions)* Mr. Gurupadaswamy was with us in the party when Mr. Venkatasubbiah was the General Secretary of the Party. We know what type of man he is. As rightly pointed out by my other friend, he was very happy when the Janata Dal was recognised by the same Venkatasubbiah. I do not go to that low level of blaming Government. Janata Dal is Janata Dal. That is all I agree. But the opposition parties were very happy and particularly the Janata Dal Party in Karnataka was very happy. Quite right. It should be happy because it was recognised. But, now, Mr. Venkatasubbaiah has taken a decision based on certain faets based on his own assessment of the situation. He is a politician of a long experience. He is not a noveau, a new pohtician brought over here and made a Governor of Karnataka. He came to Lok Sabha twice or thrice. If T am mistaken. I stand to correction. A person getting elected to the Lok Sabha for three times bas got a creditable record with his peonle from whare he gets elected and the party from which he gets elected. So let us not...

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): But in the last election he was defeated.

SHRI A. G. KULKARNI: .. .cast some reflection...

SHRIMATI MARGARET ALVA: Sir, you are supposed to be neutral in the Chair.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Yes.

SHRI A. G. KULKARNI:., and judge a person who is in a high position. And he is doing his duty. You can have a difference of opinion. I never object. I am not going to argue on that. You have a difference of opinion. Quite well. I may have a difference of opinion. So. as far as these words of Mr. Gurupadaswamy are concerned, why did he choose these words—

intolerance, mischief and resorting toblackmail? Mr. Gurupadaswamy, where is the blackmail? Please tell me' In that bar where Rs. 20 lakhs were paid to the MLAs? Was that a blackmail? Or in the Raj Bhavan when the Governor took a decision? Can it be called a blackmail? You decide yourself—I do not—because you are a colleague with me for so many years. I have seen you as a Miinister. I have seen you as a Socialist Party worker. I know your relations with other Socialists. So, I do not. I am only very sorry that today you have used very strong words. They are really not necessary at all in casting some observations on the Resolution which you yourself has moved. About these value-based politics and aH those things, I am just coming to that. But before that, I am only going to take a quick survey of what the newspapers have said. What have the newspapers said? Newspapers, nowadays, in this country not only give what you call the news but they also give the views and they try to form an opinion. They may raise somebody to a high pedestal to be holier than the cow figure and point what you call more white than Surf white. They can do that. They can undo that. They can say that somebody is corifupt. They can say that somebody is clean. These are all newspapers which are nawadays also vying with the politicians to make wild observations like during elections. Sir here is a report from the 'Sunday Observer'—"Harakiri in Karnataka". It is not my view. It is the newspaper's view—"Harakiri in Karnataka". And they say that certain MLAs and Deve Gowda and Mr. Molakeri, etc... I do not want to take those names. I just want to remind my good friend, Mr. Gurupadaswamy, and to take a view of that. This is one newspaper. Then, Sir, in another 'Sunday Observer', my good friend, Mr. Hegde has given an interview. Sir *if* you permit me, I want to say that I had a very high opinion of my friend Hegde. He was a Raiya Sabha Member. Then he was built up by the newspapers as if the substitute Prime Minister of this country And where has he fallen? The Humpty-dupmpty has fallen to the ground. Why? So, this is what Mr. Hegde has to be now careful of and start an introspection of his own self. Here it is stated, when a newspaper correspondent was interviewing him, he asked him, whether this Dr. Jivaraj Alva, do you have any...

SHRIMATI MARGARET ALVA: No relation, a very good friend.

SHRI A. G. KULKARNI: No relation, a very good friend. We are always friends. You know Dr. Jivaraj Alva, and I quote: There is this account that Dr. Vivaraj Alya, despite Bommai convening a meeting at a city hotel after the Ministry expansion on April 15, he is said to have suggested at this meeting that Bommai should be removed. Then Hegde replied, you see, such things are always there after an expansion. But then he has in fact, means Alya, tried to contain the situation. But what is containing? He has toppled the Government and Hegde giving a diplomatic reply, containing the damn situation. Then, you know, he said, to assuage their feelings, he perhaps said, what is your demand? Who asked him? Whether Buta Singh, or Kulkarni, or my friend, Jacob? Who asked it? This is what is said in the Sunday Observer: R. K. Hegde in conversation with John Ribeiro. I have not taught him to say these things. This is what he has said. Then here is, you know, another friend, the Statesman, dated 20-3-1989. What does this say: Cash counter sales took place. What does this mean? And you are talking about value-based politics. Cash counter sales in a bar in Bangalore. And you are giving me a sermon what value-based politics I should play in this country. One must be ashamed of what we talk of, what you call value-based politics. That is why you and me, we both, and everybody who is a politician, who is a senior member, or a member of a political

[Shri A. G. Kulkarni] Party, we are denigrating the politics of this country. The entire polity is going down the drain. Who is responsible? I am very sorry to say this, my friend. I would have read it. if you want. And then you are blaming him, Mr. Venkatasubbaiah, that he held this view. Somebody was I saying that some money was placed before speaker. I do not want to go into that issue. But here is the case, Rs. 20 lakhs paid to a Member, and the letter again withdrawn, because he was in two minds, because he received only Rs. 10 lakhs and so he changed bis letter and you are again talking about value-based politics. People think that we are either joking or we are fooling the people and you expect that they will vote for your party. Go on dreaming, i do not mind.

Then, you know, Mr. Vice-Chairman, there is the Indian Express, I do not want to read. They have already quoted. Then, here is a good article. Please read that. This is also in Sunday Observer. Somebody here is pleading about, what you call, the chaste character and holier than the cow attitude of Mr. Hegde. Here is an article written, Sir, by a very senior ex-Member, Mr. Madhu Limaye and perhaps Mr. Gurupadaswamy knows him. He is perhaps one of the top socialists of this country and he has suffered and what he says is this: Hegde had no cheeks to counter when Devraj Urs was dismissed by the Janata Government. He has blamed him and he says, he was in Patna, came back post haste and he was pleading with the leader of the Janata Party at that time and Mr. Hegde, for Heavens' sake do not do it. And you are telling us again Buta Singh and myself and my party members have to listen. You are 2.00 P.M. talking, you know, through your hat. No logic at all; no substance in your arguments, and just as a ritual, when a man dies, he has to be burnt, and that is what you are doing as a ritual, Karnataka Government is gone and we are doing this ritual in the House.

I really had some respect for my friend but I am very sorry to say that he is going down in the eyes of the people also very fast. He is the present President of the Janata Dal. One must be ashamed of it. Suppose tomorrow somebody tells me that Mr. Advani has killed that man, and I say I will kill Mr. Advani. Will theTe be any logic? Will there be any morality? Is there any moral left? I again quote what he says. It is again from *The Statesman* of April 23. It says; "Mr. V. P. Singh accused Mr. Venkatasubbaiah of transmitting information that suited the Congress-I interest, to the President and suppressing that was not. He saw in this an overall design of the Centre to topple aH non-Congress-I State Governments and predicted, Assam should be the next State. Mr. Singh justified the horse-trading." Why are you lecturing me on horse-trading Why are you lecturing me on morality? Why don't you request your leader, leader of your party not to talk like a fool or a buffoon, and to talk sense? Ts it justified? Let anybody of you say whether it is justified. I would have really denounced and criticised Mr. Singh if he had been my leader. I will never choose him as my leader. My leader is a person—might be young but—of Nehru tradition. I respect him more. There is a tradition and here Mr. Singh justified horse-trading indulged in by Janata Dal saying that Congress (I) was doing it! Congress is going to hell; are you going to hell? At least there should be some common-sense. There must be some common-sense. .. *(Interruptions).* My dear friend, don't take it as a joke. What I am saying is that we are senior people talking of serious matter. For Heaven's sake, if you want to uphold what you are talking of, if you want to see that democracy in this country survives, I do feel that ali these loose talks on these low morals and moral-based or value-based polr-

tics, we have had enough. We know What you are talking of; you know, perhaps, what you are doing.

Mr. Vice-Chairman, they talk about value-based politics. This Ram Lal in your own State is your enemy number one. You tell me, Mr. Vice-Chairman, is it not? Ram Lal is your enemy number one.....

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): We do not consider anybody as our enemy. But we too condemn everybody who acts unconstitutionally.

SHRI A. G. KULKARNI; He is the leader of some group or party, I don't know. I have no scruples for Ram Lal also. When these things were going on, seven letters were withdrawn; again there was one out of 13. But I am not going into the facts or the merits because I do not believe in aH these matters. The Government and the Governor rightly thought that the MLAs are being sold and purchased; MLAs are for sale and they are being purchased by many others. So i do think that the political parties, particularly the opposition, have to understand this matter. Madhu Limaye has rightly said though it is really uncharitable to my other good friends, but Madhu Limaye's article is really worth studying. He has first criticised some editor. This is what I said. This is the bane of Indian politics. These editors take on the role of advisors and they start advising the political parties and the result is disastrous. He has shown some conern for my good friend, the Professor, in the other House. I am really very sorry that he should be dragged in this. As a professor I know what he is. I do think that my friend who has moved the Motion would understand. *(Time-bell rings)* I will take just another five minutes.

Perhaps, there is some logic in what Mr. Gurupadaswamy has said. He said that when the Governor received these letters he should have taken cognizance of the anti-defection law. I think this is what he said if I have correctly understood him. But I would like to point out to him that the Governor is not empowered to decide on the anti-defection law, as to who comes under the mischief of this law. It is the Speaker. The Governor is concerned only with the majority. When the nineteen MLAS gave their letters, the Governor came to the firm opinion that Mr. Bommai had lost the majority. Why he had lost the majority? It was Mr. Hegde and Mr. Bommai on the one side and Mr. Deve Gowda and the others on the other side. My friend has gone. AH these groups combined and fought among themselves. You have come down on your own. For Heaven's sake, do not blame others. It is very easy to talk about value-based politics and other matters. We are moving' fast in a direction which will only lead us to disaster. If we do not improve the politics in this country, if we do not reform ourselves, the country would come to a stage where only anarchy would rule. For Heaven's sake, stop that. I belong to the Congress Party which has a history of hundred years. I do claim that in every village in this country the Congress Party is there. You were also partners in the Congress Party. I would have really liked, T would have been really happy, if an healthy Opposition had been built in this country. But your leaders...

SHRI PARVATHANENI UPENDRA: When many people are joining that side, how can we build an effective Opposition?

SHRI A. G. KULKARNI: People join this side because of some principles. Mr. Upendra, you are talking about scruples. Your Chief Minister dismisses thirty Cabinet Ministers. Have you ever heard of this?

SHRI PARVATHANENI UPENDRA: It is an internal matter.

SHRI A. G. KULKARNI: The entire Cabinet is dismissed and you

[Shri A. G. Kulkarni]

are educating Mr. Buta Singh and Mr. Jacob on democracy, morals etc.

SHRI PUTTAPAGA RADHAKRISHNA It is a wrong statement. The Ministers in Andhra Pradesh were not dismissed. They resigned.

SHRI A. G. KULKARNI: Okay. But pressure was put on them.

There is another Chief Minister, Mr. Devi Lal. He dismisses some Ministers because he talked about the Government policy on co-operation or something like that. I am talking day in and day out, many times, against the Government but I have never been asked. They Iove me and I Iove them. My affection for the Congress Party is based on principles, on socialistic thinking and on the heritage of Gandhiji and Pandit Nehru which I cherish. That is why I stand here and I have got moral authority to talk, not this Mr. Devi Lal. I know Mr. Devi Lal. He dismisses one Minister) because he spoke against the Government.

Perhaps, he is also afraid. Poor chap. I do not know when this term is ending.

SHRI PARVATHANENI UPENDRA: I am not worried.

SHRI A. G. KULKARNI: I plead with everybody. The time is fast approaching when we should apply our mind. We should come to grips with the real issues_ the real problems. Now forget this Bofors or Thakkar. Karnataka Governments will come and go. Elections will take place and you can show your strength whenever it comes to that.

SHRI PARVATHANENI UPENDRA; Where is the Home Minister?

SHRI A. G. KULKARNI: I am not bothered about that. Another Minister of my party is there. So, I do not take such small matters seriously,

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): He has come.

SHRI A. G. KULKARNI: What I want to say is, the Congress has the heritage of hundred years. It has the heritage of illustrious leaders, like Gandhi, Nehru, Lokmanya Tilak, Lala Lajpat Rai and others. You can see that the Congress alone can deliver the goods and that is written on the wall. So, for Heaven's sake, start keeping faith in a value-based politics. That is the only advice I can give you,

SHRI PARVATHANENI UPENDRA; Mr. Vice-Chairman, Sir, the imposition of President's rule in Karnataka is one more desperate act of a despot who is on his way out, aided by a hatchet man with his kirpan ever unsheathed and abetted by a pliant Governor who has no qualms of any conscience.

Sir, this incident in Karnataka, which has been rightly described as a murder of democracy, holds dark portents for the survival of democratic institutions in this country. It raises a fundamental question. There was a Government elected by 4 crores of people and one MLA carrying a letter on behalf of 19 people and a Governor sitting in the comforts of Raj Bhawan with his ears always to Delhi. The Home Minister is a link between the Governor and the Prime Minister here and ultimately the Prime Minister. These three-four people decide the fate of the people of Karnataka, decide the fate of the Ministry and remove it in a very high handed manner, as if it is a Moghul period, a Moghul emperor can change his subedar overnight as he likes.

Where are we going and what is the democratic principle we are upholding? I am not going into details

as to how the Janata Dal members quarrelled among themselves or gave an opportunity for this kind of a situation. That apart, this raises a fundamental questions. If similar situations arise, are there no set democratic conditions or precedents which should be followed to tackle the situation? If there are, they have not been observed, they have been violated. Every democratic principle, constitutional propriety has been violated. They mentioned about the Sarkaria Commission's report. It is recent. The Home Minister might not have read the report. Had he gone through the report, he would not have done such things. It is very clearly said that while dealing with such situations the Governor should not risk determining the issue of majority support on his own outside the Assembly. "The prudent course for him would be to cause the rival claims to be tested on the floor of the House. If, during the period when the Assembly remains prorogued, the Governor receives reliable evidence that the Council of Ministers has lost the majority...

> "he should not, as a matter of constitutional propriety dismiss the Council unless the Assembly has expressed on the floor of the House its want of confidence in it. And generally it will be reasonable to allow the Chief Minister a period of 30 days for the summoning of the Assembly unless there is very urgent business to be transacted, such as passing the budget in which case a shorter period may be allowed. In special circumstances, the period rnay go up to 60 days".

Also the Committee of Governors appointed by Mr. V. V. Giri in 1970 and so many other commissions have clearly stated that the floor of the House should be the forum where the majority should be tested. But that has been violated. While the Sarkaria Commission has said that at least 30 to 60 days should be given to the Chief Minister to prove bis majority, here is a Chief Minister who offered to test the majority in seven days and in the last stage within two days. Within 48 hour he was prepared to prove his majc rity. Then heavens would not hav fallen if we had waited for 5 days c convened the Assembly in two c three days. But they were afrai that by that time probably the Chie Minister would win back his peopli and show the majority.

SHRI BUTA SINGH: Would bu; back, not win back.

SHRI PARVATHANENI UPENI RA: And what is this horse-tradinj and buying back? After all these 1! people have acted at the bidding o: somebody. Somebody has indulge(in horse-trading. If their going away is not horse-trading, their coming back, if you call it horse-trading then you are putting forward a pecu liar type of argument. And they art coming back to their own fold Thes are not going to some other party They could have committed a mistake, as they said that they had committed a mistake they had realised that and were coming back. Their going to another party or betraying their party is not horse-trading, but coming back to it realising their mistake is horse-trading! The Congrese Party really has got new connotation for these things. And the Congress Party is talking about horse-trading which they indulge in day in and day out in every State, in their own States also! That is the type of horse-trading they are involved in.

The second point which is very relevant here is that Rajiv Gandhi trumpeted to the whole world in 1985, "I want ot improve the political culture of this country, I want to stabilise the functioning of the political parties, we want to improve the political morality in this country. Therefore, all of us, let us agree on Anti-Defection law". We did agree; we cooperated. That was the first thing on which the Government sought our cooperation and we gave it. For what purpose? Today that very particular Act which has been trumpeted

[Shri Parvathaneni Upendra] about so much has been circumvented. And just realise the situation. Today you may have a majority and strength of 440 in the Lower House. Imagine a situation when there will be a government in future, which is possible, with a thin majority of 10 or 15 members. In those circumstances, if 25/30 people go to the President of India and declare "we are withdrawing support from the Prime Minister", will the President toe justified in dismissing the Prime Minister and his Government? Or the same thing can be done in any State. You have Bet a precedent. Tomorrow it can happen in any State that 10-15 people go to the Governor and the Governor can take action even without waiting for a minute to dismiss the Government. Then where is the Anti-Defection law In the Act you have provided that one-thirds are required for a split. Here they are not even one-third. It was not a split. Now they can defy their party, betray their party and lead to the fall of their own government. But still they do not incur any disqualification because they are not voting against their own government in the House. You are creating such a piquant situation. You imagine the consequences of such an action. Tomorrow in many States, and even at the Centre, it can happen. That is a dangerous precedent which you have set in this case. That means there is no Anti-Defection law. Today nobody need vote against the Government and incur disqualification. He can do it outside and lead to the fall of the Government. The Act is finished. Let us abolish the Act. Then let the old game of "Aya Rams-Gaya Rams" go on again. And you talk of Anti-Defection law and political morality and all that! That is another dangerous thing which they have done here.

Tliirdiy, the way. the Governors behave. Unforlunately whether it is General Krishna Rao or Mr. Venkatasubbaiah, they all come,from Andhra Pradesh—I am really ashamed of that. *I* do not know why they are made to do such silly things and we are getting the odium of that. What is that behaviour? He gets a letter from someoody and in his report he says, "The signatures of the members have been verified with reference fo the registers maintained in the Legislature Secretariat", that "The signatures of the members of the Assembly who have written to me appear to have been signed by the respective members." "Appear to have been signed by the respective members!"— he was not even sure that they were signed by them. What prevented him from calling them, talking to them, verifying from them? Did he do that? Why did he rely, on the statement of one MLA, who was an interested party in it?

SHRI BAHARUL ISLAM (Assam): But the fact has been that...

SHRI PARVATHANENI UPENDRA: At least in Andhra Pradesh, in the 1984 incident, the then Governor, prodded by the present Prime Minister, had gone through the modicum or ceremony of calling all those fellows and verifying them physically, though there were bogus MLAs at that time also. Thirty-two genuine MLAs were there and about 60 bogus fellows were there.

SHRI BUTA SINGH: Here nobody was interested, Upendraji...

SHRI PARVATHANENI UPENDRA: I see that the Governor does not even bother to verify from the members whether they had actually signed those letters.

SHRI BUTA SINGH: Because they were genuine signatures.

SHRI PARVATHANENI UPENDRA: Signatures can be forged. Are they not being forged?

SHRI BUTA SINGH: Nobody said it.

SHRI PARVATHANENI UPENDRA: A member said that signatures have been forged... (Interruptions) ....

SHRI V. NARAYANASAMY (Pondicherry) You wanted horse-trading to go on ... *(Interruptions)...*

SHRI PARVATHANENI UPENDRA; On the 19th night they delayed a plane coming to Delhi, sent it at 11-30 or 12 o'clock here. On the :20th there was a development. Many of them had retraced their steps.

SHRI BUTA SINGH; Delay the plane for what?

SHRI PARVATHANENi UPENDRA; They delayed the plane to send the Governor's report on that day, on the 19th evening. Then, on the 20th there was some development. But the Governor was not prompt in reporting that to the President. The question is, when did Mr. Venkatasubbaiah inform the President about subsequent developments? Here we have a report, the so-called •econd report of the Governor, and it has no date and time. Whereas in the first report they have mentioned the date as 19th, in the second report there is no date at all- I doubt its veracity, I doubt whether it is genuine or whether it has been subsequently cooked up. On the second report of the Governor there is no date and time. When did he send it actually?

THE MINISTER OF STATE IN THE- MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Don't doubt it. We will answer.

SHRI PARVATHANENI UPENDRA: In the second report, he again uses the words, "Handed over letters purportedly .written by seven MLAs". He says "purportedly." In fact, many of them met him physically and told him ateo. Even then he says, "purportedly." Now, what a lecture he gives! 'They are being pressurized, horse-trading is going on, the atmosphere is getting vitiated!" Why did he not point out these things to those 19 people when they went and handed over the letter? Did he speak about democracy and horse-trading and all that at that time? And today when they wanted to go back he is 'saying that there is horse-trading the atmosphere is getting vitiated.

PROF. C. LAKSHMANNA (Andhra Pradesh) As if he is a high priest of morality!

SHRI PARVATHANEND UPENDRA; And he wants action to be taken on the basis of his letter of the 19th, ignoring completely the subsequent developments of the 20th and 21st. That means that definitely the Governor hag been dictated upon and he is doing thg bidding of the Central Government here. He was not acting independently. Governors are the stooges not only Of the Central Government here but they have also become the agents of the ruling party. Even in the appointment of Mr. Venkatasubbaiah as the Governor of Karnataka, the fundamental principle enunciated by the Sarkaria Commission has been violated. They said, don't put active politicians of the ruling party at the Centre in the States ruled by other parties.

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Moreover he was defeated.

SHRI PARVATHANENI UPENDRA; And this is the first violation. A man defeated in Andhra Pradesh, has now been put back ag a ruler of Karnataka. It is shameful. "Horse-trading" and all that, big words are being used. It does not behove the Congress Party to use all these words.

I am also pained, though we do not criticise certain actions of the Head of State, that the President while signing 'the Proclamation also has not * verified the facts from the Governor. In fact, We met him on the 21st. We requested him to get

Expunged as ordered by the Chair.

[Shri Parvathaneiy Upendra]

.a further report from the Governor of Kamataka on the subsequent de- j velopments and verify whether the Chief Minister still enjoys majority or not. We requested him to withhold his action on the advice of the Council of Ministers till he is fully satisfied that the Chief Minister has lost the majority. We are very sad that the President has chosen to sign the Proclamation within one hour of our meeting him.

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): What did he say to you when you met him?

SHRI PARVATHANENl UPENDRA: The President said that he was bound by the advice of the Council of Ministers.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: That is the constitutional provision.

SHRI DIPEN GHOSH; In that case, is not the Governor bound by the advice of the Council of Ministers of the State? If the President is bound, the Governor is also bound by the advice of the Council of Ministers of the State.

SHRI V. NARAYANASAMY: When they are in minority, it is ruled out.

SHRI PARVATHANEND UPENDRA; Mr. Vice-Chairman, we do not dispute the position of the President as the constitutional head. But as the Head of State he has got some moral authority to exercise. He is entitled to give his proper advice to the Government when it is going the wrong way, particularly when the Governors are under his control they are his appointees. When the Governor addresses a communication to the President directly giving factual statements, it is a report to the President, and the President has complete authority to verify the facts. He could have done it. This Government might be interested in rushing these things because the people were coming back, and Mr. Bommai was bound to prove his majority. But the President was not in a hurry. He need not be in a hurry. He could have waited for four, flve days when he knew that the Assembly had been summoned for the 27th. Had he delayed for four, flve days, the things would have been clear. Even that much elementary thing, unfortunately, the President eould not do. As a result of this, democracy has been butchered and a government has been removed. They say, he is bound by the advice of the Council of Ministers. When mr. Bommai advised the Governor to summon the Assemhly, why did he not heed it? Why are the Governors in other States refusing to go by the advice of the Council of Ministers, for example in Andhra Pradesh? In the case of appointment of Lok Ayukta there was a recommendation of the State Government. The Governor has Violated, and she did not sign it- Does it not apply in the States? The same constitutional provision, if it applies to the President, should apply to the Governor also.

PROF. C. LAKSHMANNA: Because the Governors are appointed by the Central Government, they can do whatever they want.

SHRI PARVATHANENI UPENDRA: Therefore, Mr. Vice-Chairman, I also say that th$_e$ President of India has not come te the aid of democratic traditions in the country, democratic urges in the country,

SHRI JAGESH DESAl (Maharashtra): This kind of remarks cannot go on record.

SHRI P. CHIDAMBARAM; Can he comment On the conduct of the President? How can be say

SHRI JAGESH DESAI; These remarks should be removed.

•Expunged as ordered by the Chain

SHRI P. CHIDAMBARAM. You have to give a ruling on this. Those remarks should not remain on record.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY); We will Bee.

SHRI MURLIDHAR CHANDRAKANT BHANDARE; They should be expunged.

SHRI P. CHIDAMBARAM: You can look into the record now, Sir. He can repeat what he said.

SHRI PARVATHANENI UPENDRA; Mr. Vice-Chairman, I have not brought the President for nothing or out of context. We are discussing the Proclamation of the President. Therefore, I have, every right to criticise the Proclamation by the President and his signing It also.

SHRI V. NARAYANASAMY; That should be removed.

SHRI P. CHIDAMBARAM; It is an unusual interpretation. Every order is made in the name of the President. Every proclamation is made in the name of the President. Yet the President is not discussed. Every Government order is made in the name of the President. He can criticise the Government. Can be criticise the President? It fe a very unusual argument he is making that it was because the Proclamation is made by the President. How can he criticise the President? Let him criticise the Government. Let him criticise the Council of Ministers. But how can he criticise the President, how can he say *..... ?

You should not allow it to remain on the record, Sir.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): We will see.

SHRI V. NARAYANASAMY; That should be removed from the record.

•Expunged as ordered by the Chair.

(Interruptions) What is you ruling on that? We want your ruling.

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh); Nobody blamed the President personally. It is the President's declaration that we are discussing and we are entitled to hold a difference of opinion and con demn it also. *(Interruptions)* We are entitle dto condemn it. (Interruptions) Otherwise what the declaration is for? The declaration failed to protect an elected Government. That is exactly why we are concerned about it.

SHRI V. NARAYANASAMY; We want your ruling on this.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): I have told you I will look into the record and if necessary we will remove it. Sit down now. *(Interruptions)* Unless we see the record we cannot... *(Interruptions)*

SHRI SATYA PRAKASH MALAVIYA: The Vice-Chairman has given his ruling. You take your seat now.

SHRI S. S. AHLUWALIA; Sir, an hon. Member has accused the President of India. We want your ruling whether he can accuse the President in the House or not.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): I have told you we will see the record.

SHRI S. S. AHLUWALIA: No, we want your ruling. *(Interruptions)*

• SHRI PARVATHANENi UPENDRA; Mr. Vice-Chairman, Sir, I have not cricised the President personally or the Presidential Office. I have criticised the presidential action, which is, in fact, the action of the Government. I am entitled to say that. I stand by every word of what I said, *(Interruptions)*

SHRI V. NARAYANASAMY. He is saying it once again. What is your ruling?

THE VICE-CHAIRMAN (SHRI B SATYANARAYAN REDDY); I will see the record. I have told you.

SHRI PARVATHANENI UPENDRA: The Governor in his report, has mentioned about the vitiating atmosphere in the State. If that is the criterion I question why action cannot be taken in the Congress-ruled States like Bihar, Gujarat, Maharashtra and Rajasthan where •worse things are happening and the atmosphere is behig polluted day by day?

SHRT MURLIDHAR CHANDRAKANT BHANDARE; What is happening in Maharashtra? What do you know about Maharashtra?' I object. Let him.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY). Why do you interrupt? Sit down, Mr. Bhandare. Mr. Bhandare every time you are interfering. I am sorry,

SHRI MURLIDHAR CHANDRAKANT BHANDARE; On what basis does he say that? How does he have the liberty,to say that?

DR. BAPU KALDATE (Maharashtra): Why don't you read in the newspapers about Maharashtra?

SHRI DIPEN GHOSH; Mr. Bhandare knows more than anybody else why the dissidents are rushing to Delhi.

SHRI V. NARAYANASAMY; He is saying about Maharashtra on the basis of hearsay and nothing else. Similarly I can say about Andhra Pradesh. *(Interruptions)*

SHRI PARVATHANENI UPENDRA; Mr. Vice-Chairman, Sir, they are speaking as paragons of virtue... *(Interruptions).* The whole country is aware of the dissidence in every' Congress-ru'ed State. I mentioned a number of States, not only Maharashtra, and my friend/Mr. Bhandare, must be fully aware of the activities | of Mr. Antulay, Mr. Tirpude and all j these people who met the Union Finance Minister the other day and tried to pull down the Chief Minister there. That is what I mentioned. That is why I say if pollution of atmosphere is the criterion or a ground for Presidential action or Governor's action, then in every State it has to be done today or tomorrow. That is the point I wanted to make.

Lastly, before I conclude I would like to say, aH these acts, one by one, only further mar the relations between the Centre ana the States. Now, completely in disgust the people look down uPon the Centre as murderers of democracy who do not allow any non-Congress Government to survive. There is already talk of action in some other States also. Chief Minieters are talking about it. If this type of atmosphere prevails for long. The relationship between the Centre and the States will completely deteriorate and will threaten the unity and integrity of the country. Where is the validity and respect for people's mandate? If two or three people can decide the fate of the people and the Government, then, we need not hold any elections. You can aPPoint State Governments as you like. You are tinkering with the Congress-ruled States changing the Chief Ministers overnight by putting one man here and one man there and that you are already doing. That is your prerogative. I cannot question that...(Interruptions) ... That is why I said your prerogative and our prerogative... *(interruptions)* .. .I am not questioning but here there is$_s$ a Constitutional question involved. The Constitution really provides for certain contingencies and if you continue to violate, the people will not tolerate for long. The people of Andhra Pradesh have given them a fitting reply, not only once after 1984 but many timeg and you will get the same rebuff in Karnataka and the rest of the country

also and you and your leader will (have to pay a very high price for all these indiscretions and undemoratic acts which you are indulging in. Thank you.

SHRI MURLIDHAR CHANDRAKANT BHANDARE; Thank you, Mr. Vice-Chairman. I rise to support the Resolution which has been moved by the hon. Home Minister and oppose the Motion which has been moved by my esteemed friend, hon. Mr. Gurupadaswamy. I have high regard for theer who has moved this Motion. But I have rarely seen an occasion like this. The hon. Member is otherwise So sincere and dedicated to what he says but for the first time I have found that he neither had his head nor his heart in what he said and I don't really pity him for that because that shows the transparent honesty of the hon. Member. He knows that he could not defend what has been going on in Karnataka. I could always see so much pain on his face whenever those reporta used to come and he was one who always stood for value-based politics and he has been amongst us for such and such a long time, almost a quarter of a century. I really in way feel that he should have avoided taking the burden today. He knowe very well what the predecessor of the last Chief Minister of Andhra Pradesh has been doing and I will do no better than to quote a freedom fighter...

SHRIMATI MARGARET ALVA: Karnataka, not Andhra Pradesh.

SHRI MURLIDHAR CHANDRAKANT BHANDARE; Yes, Karnataka not Andhra Pradesh... (Intemip*tions)*... I will come to Andhra Pradesh also. I will not disappoint you. I will first come to Karnataka.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Please confine to the subject.

SHRI MURLIDHAR CHANDRAKANT BHANDARE; A veteran freedom fighter and one of the most incisive and intellectual thinkers has said — I won't take the name of the predecessor of Shri Bommai. He says about the ex-Chief Minister; ..Who

has mercilessly milched Karnataka for five long years, whose record the matter of growth of agricultural production, power development and expansion of irrigation is extremely bad, whose involvement in land scandals stinks to high heaven, whose tapping of the telephones of friends set up a new record of amoralism in politics is being held as a decent and honourable man. Vocabularies have been turned upside down. Now corruption and power just spell value-based politics." If I may read one more author; "For the last two years the Janata Government in Karnataka had become a liability for the Opposition as much as for the People of Karnataka". Now, it would appear as if I am reading the editorial from the National Herald. It would appear as if I am reading an editorial where the Home Minister may have managed to get a journalist write something in his favour. But, will it disappoint you if I were to say that this is what has been written by Mr. Arun Shourie in the Indian Express? *(Interruptions).* If you call Mr. Arun Shourie the devil, I have no objection at all. 1 would adopt your expression, Mr. Dipen Ghosh. But I have not found a friend, I have found truth. Let me tell you.' *(Interruptions)...* Mr. Vice-Chairman, Sir, I need some protection. What is this? (Interruptions) ... I am glad that the hon. Member has objected to what Mr. Arun Shourie has written and his objection is well taken and I hope he will keep his objection in regard to every writing that flows from the "pen of Mr. Shourie. The point is that it had been a disappointment for them. When we discuss democracy there are larger issues which we have to discuss and a very vital *issue* which has been raised and of course, I expect Mr. Advani to speak On it a little later, what should the Governor under these circumstances do look at what Justice Sarkaria says. He puts it in

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two ways. First of all he says that the Governor cannot dismiss his council so long as they continue to command a majority in the Legislative Assembly. Conversely, he is bound to dismiss them if they lose majority but do not resign. Therefore, he is bound to dismiss them when they lose the majority. Then he says, the Governor should not risk determining the issue of majority support on his own outside the Assembly. The prudent course, now I am emphasising this, the prudent course for him would be to cause the rival claims to be tested on the floor of the House. Now, exactly it goes with prudence. Therefore, prudence is not something omnibus, which is applicable to all the cases. Now, I say it would be a travesty of the Constitution if we were to say that as was done in this case where a cash counter was opened outside the Assembly hall, you decide and test the majority on the floor of the Assembly. That would be the travesty of the Constitution. That itself would be murder of the Constitution and murder of democracy. The people trusted the politicians. They gave them the power. There was a total misuse of that power. Poor Mr. Bommai even could not expand his ministry. He reached a stage where unless all the 100 Members were accommodated either as Ministers or Chairmen of some corporations or the other with LAL BATTI Cars and the rank of a Cabinet Minister, there was no way he could run the Government. I do not want to go to the other things because I am sure, my friend, MT. Subramanian Swamy, will give the juicy but true details of what is happening in Karnataka. The others have also expressed it. Mr. Hanumanthappa said, if the people have been betrayed then how do you cover up the betrayal? My friend, Mr. Upendra was saying, there was murder of democracy. ' For every transfer you are charging money, there is no murder of democracy. There is a stable Government, i give great credence to what the Governor said in second letter. He said, now the horse-trading has started and it had started. Nobody has denied that. I ask my friend but I restrain myself, Sir because you said, don't ask. But, ' has he got a single one of those 19 Members even to say now that he did not write that letter?

SHRI D. B. CHANDRE GOWDA: Yes. One MLA has done it.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: One? I am glad. How much did you pay him? *(Interruptions)*

SHRI D. B. CHANDRE GOWDA; I gave you the facts. *(Interruptions).*

SHRI KAMAL MORARKA: I am i on a point of order.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am glad that you are having the assistance of my esteemed friend, Mr. Kamal Morarka. He hag got great expertise in this matter.

SHRI KAMAL MORARKA: Sir, I seek your protection. Lawyers are the worst group. If you want to *go to* that level of discussion, I am prepared to go with him. But do not reduce the parliamentary debate to this level, Mr. Bhandare. You are not expected to do it. I have no objection. You said 'cash counter is opened outside the Assembly'. I did not expect... (Interruption).. .Please bear with me for a minute.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Do you deny it?

SHRI KAMAL MORARKA; If I say cash counter is opened outside the Raj Bhavan, how do you stop it? If cash" counter can be opened, it can he opened outside the Raj Bhavan also.

SHRI ANAND SHARMA (Himachal Pradesh): It is a truth known to the entire country.

SHRI KAMAL MORARKA: I am not on that subject. *(Interruption)*- Mr. Bhandare, half a minute. Don not deduce the level of this debate. That is all I am saying.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I am merely reading from a report of the 'Statesman'. It is not my expression. We tannot shut our eyes to what appears in a newspaper, a newspaper which is hostile to the ruling party, to my party, and which is all favourable and partisan *to* the Opposition. If it says...

SHRI KAMAL MORARKA: You carry on. I have no objection, Mr. Bhandare. I will go by your judgment. If you think this level of debate is good, please carry *on.* I will abide by your judgment.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I am still making a Constitutional point which I expect the other side to reply to, namely, when the majority will be determined only by the p'roeess of horse-trading and not by conviction of political principles, not by conviction of political loyalties, then, what is the correct and the prudent way for the Governor to follow? And the word 'horse-trading' has been used by the Governor himsetf which cannot be disputed. It is in support of that statement that I read from the 'Statesman' where there is a report saying thit cash counter is opened. I do not think there is anything Unparliamentary about it. I do not. think I *b*ove descended to any low level in the parliamentary debate if I refer to it because it is a very serious matter. Today it is a crisis of character.

SHRI KAMAL MOKARKA: Is it not low level to say that I have got expertise in this matter? What is it then? I want to know.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: If you cannot understand a parliamentary debate, you may not. But let us have some Introspection. My friend Mr. Upendra gets up and talks of what hag happened. There is a dissent. But dissent is the very essence of democracy. Without dissent we cannot have a debate, we cannot have democracy. *(Interruptions).* But what about this? No State has seen what Andhra Pridesh has seen where they dismissed the entire cabinet, the entire cabinet, and nothing is to be said for that. Not only that. That is the only State where the erstwhile Ministers have 'resigned not only from the party, but, to the shame of the Telugu Desam patty, from the Assembly itself. And I respect them because they have shown that characteV, that courage of conviction.

SHRI KAMAL MORARKA: Like V. P. Singh. Same thing. He resigned from the Miinstry and from Parliament. Same cha'racter.

SHRI MURLIDHAR CHANDRA; KANT BHANDARE: Who has resigned from Parliament? I can tell you very frankly thit even in Karnataka things went bad because the first thing the Chief Minister... *(Interruptions).* Please listen. You need not anticipate what I am saying. I will tell you how there is a murder of democracy.

THE VICE-CHAIRMAN (SHRl B. SATYANARAYAN REDDY): Mr. Bhandare, do not address them. Please address the Chair.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I apply a short test to my speech. The more the interruptions, I think, the more I am relevant. So I welcome these interruptions. Kindly look into this case. What happened? Rajya Sabha is a Council of States to which you are supposed to send someone who rep resents the interests of the State, who is somebody in that State, who *is* a big stalwart in that State. But in Karnataka you have a solitary exception where an honourable Member who is a temporary resident is elected...

SHRI PARVATHANENI UPENDRA: What about Shiv Shanker?

SHRI MURLIDHAR CHANDRA-KANT BHANDARE; I am coming to

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that. He is a member of a party. Don't compare him with this. What is the use of talking like this? You have sent a man.. (Interruptions) When I am. talking about Karnataka you eh-ould keep out of it ____

SHRI D. B. CHANDRE GOWDA: Is H barred under the **Constitutioal.** You are talking about niceties of the Constitution. You are interpreting Article 356. Now you are talking about a person elected from Karnataka that he is a temporary resident. Is it birred under the Constitution?

SHRI MURLIDHAR CHANDRA-KANT BHANDARE; Yes, it is....

SHRI KAMAL MORARKA; How was Mr. Shiv Shanker elected from Gujarat?

SHRI D. B. CHANDRE GOWDA: Our Leader of the House was elected from Gujarat.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: You have elected a person who is a temporary resident. What is his address? His address is that of some guest house; I do not know. *{Interruption)* I just want to make a point. When you send somebody who is not a member of yout party, who is not a resident of the State, you are murdering democracy. I do not want to take the name. Why are you feeling so sorry when you see that the truth is so Weak for you? Therefore, I do not want to go into all the details. But those who have betrayed the people have no right to talk of murder of democracy. And it is a matter of great concern for me when those people talk of value based politics because I believe in value based politics. Whatever may be the provocation, whatever may be the inducement, I would like to stand by my principles and my ideals because they are dearer to me than even the most precious thing in this world. Therefore, when I find that you talk one thing and do another, as has been said by that veteran freedom fighter, it is the dictionary inverted. This is no value based politics. It is devalued politics. It is not value based politics but it is debased politics. And it is this that is bringing us to ruin. And to say that in the face of the very, very vital facts the Governor should have said, "All right, let this cash counter run. I will allow more people to participate", I think we are doing an incalculable damage to democracy in our country. We must congratulate the Governor for taking his stand. Fifteen days earlier when he recognised the Janata Dal, you had full ptaise for this man, the Opposition had full praise for this man, that there was never such an independent man...

SHRI PARVATHANENI UPENDRA: No; your Prime Miinster pulled him up (Interruption).

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I do not want to ,go further into the matter. The Question is very clear, that on the facts of the case Mr. Bommai had lost majority, he did not call fo'r the Assembly to be convened. Only when he lost his majority he said, No, No, you better think of calling the Assembly so that in the meantime I can manage __ ". But I can tell you that this kind of tactics of the Opposition is not going to succeed. They have no principles. They have no morality. They are prepared to share power with anyone. I know, today, in Bombay, they will go with the Shiv Sena and with Shri Datta Samant tomorrow and to anybody who will come to them, they will say, "All right. You are welcome.". Firstly, they had the label of Jan Morcha and then the label of Janata Dal... *(Interruptions)*

SHRI PARVATHANENI UPENDRA: What about your alliance with Miss Jayalalitha?

SHRT MURLIDHAR CHANTDRA-KANT BHANDARE): Let me tell you, the people are not going to be fooled by these labels at all. The people know in whom, they have to place

their trust at the time of elections. I have no doubt at all about that. We know and he people know all your inconsistencies, all your present clai*ns to democracy. Despite your claims to democracy, I have known that, both in Andhra Pradesh and Haryana, the're is no rule of law and whatever the Chief Minister says is the rule. Therefore, they punish all the minorities and they put innocent people behind the bars and detain them. I think the time has come to find out how the rule of law works particularly in these two States because everyday I aim reading one case or the other. In fact, I have also mentioned to my friend, Mr. Upendra, "I do not like the way your Government is working.".

SHRI PARVATHANENI UPENDRA: In what respect?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: But the people know where everybody stands. They know what is value-based politics, they know what is secularism, they know what is democracy, and they know who is for the poor. I have no doubt about that. I would only like to tell the Home (Minister that I share what my friend, Mr. Hanumanthappa, said: "Let us have early elections.", so that, ultimately, it is the people who will decide.

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): You will never conduct the election _____ *(Interruptions)* . . .You will never hold the elections. _____

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Dr. Reddy, this is bad for your blood pressure!

SHRI V. GOPALSAMY: He is a medical doctor.

DR. G. VIJAYA MOHAN **REDDY:** It is only the concentration of money power... *(Interruptions)...*

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Mr. Reddy, please do not intenupt him.

SHRI MURLIDHAR CHANDRAKANT BHANDARE; May I end up by saying only this? Let the Opposition forget its crocodile tears over the so-called murder, of democracy. In fact, if anything has been done, democracy has been saved and preserved in Karnataka. Thank you, Sir.

SHRI LAL K. ADVANI: Mr. Vice-Chairman, Sir, I thought my friend, Mr. Bhandare, would deal with some Of the Constitutional nuances of this issue. Somehow he got bogged down in the interruptions, in the "'cash counters", and went on to give the best argument he could conceive to support the Proclamation under article 356 of the Constitution. In fact, all the speakers who have spoken till now have been advancing the argument that this Government wis corrupt, that this Government wag not functioning properly, that Government was indulging in financial profiligacy, financial mismanagement, and Mr. Hanumanthappa, refuting Mr. Gurupadaswamy's affirmation that it is a sad day for democracy, said that it is a very happy day for Karnataka!

Sir, I wish it was realised that the issue is not the Bommai Government of Katnaatka and the issue today is not how well or badly the Janaat Dal is functioning. I may agree with you on many of the points that have' been made in this context. But the issue is the Constitution, the harmonious working of the Constitution, and I would do no better than quote one single brief paragraph from the Sarkaria Commission Report which has very wisely and succinctly said. It is on page 17l and this is what it has said:

> "Imposition of President's Rule does bring to an end, for the time being, a Government in a State as responsible to the State Legislature."

3 P.M This is the result of imposing President's rule in a State that there is *no longer* a Government there responsible to the State legis-

[Shri Lal K. Advani]

lature. Indeed this is a very drastic power. Exercised correctly, Sarkaria says, it may operate as a safety mechanism for the system. And then it goes on to say: "Abused or misused, it can destroy the constitutional equilibrium between the Union and the States."

My charge is that this repeated invocation of article 356 is completely destroying (the equilibrium of the Constitution. It is this that has contributed most to creating strains between the Centre and States and making almost eve'ry single non-Congress Government demand the repeal of article 356 and abolition of the post of Governor. Both the demands I have not supported. Some told me: you are subjective because you do not have a Government, you are only a partner in one of the Governments, therefore you are not taking that stand. But I do hold that the considerations that prompted the Constitution-makers to incorporate article 356 End to create an institution like that of Governor were valid at that time, are valid still. And therefore I have not favoured repeal of either article 356 and the abolition of the post of Governor as has been done by some of my other colleagues., Howsoever, I do feel that if Governors continue to function in this manner and article 356 continues to be invoked in this manner, this kind of demand would get great support and validity and logic would lie in supporting it.

Now, I have gone through the brief report that has been given by the Governor to the President and which has been laid on the table of the House. I do not remember ever having seen before such a pedestrian report; I do not know who has drafted it.

SHRI PARVATHANENI UPENRA: The Home Ministry.

SHRI LAL K. ADVANI: I do ot know. It is difficult to imagine a report made by a Governor to the President that article 356 should be invoked and President's rule should be imposed on a State with such a pedestrian draft. There are in it so many things—some things which are relevant, some things that are not so relevant and quite a few totally irrelevant. And yet this is the report, three and a half pages the first report, single page second report. I do not remember in the past there being two reports of this kind, seat in phases, one OH the 19th and the other, as my colleague has pointed out, bears not even a date-may be on the 21st on which date the President promulgated this Promulgation.

AN HON. MEMBERS: It was put afterwards.

SHRI LAL K. ADVANI; I would not make that accusation, though the credibility of the Government is so low today that all kinds of accusation acquire credibility.

Sir, I find that a lot of things have been mentioned. But a pertinent point has not been mentioned which I regard as the crux of the whole debate. Sir, there is no mention in this report, not a word, that the Speaker of the House has convened a session of the Assembly on the 27th. This is not even mentioned. The Governor could well give the argument of the kind that my friend Mr. Bhandare gave that he was not going to allow the House to meet and in the meanwhile horse-trading to go on. But he has erred gravely when he has omitted even to mentioned the fact.

I would like to understand why a very specific recommendation made by so many expert bodies, right from the Administrative Reforms Commission to the Speakers Conference, to the Governors' Committee, to the Sarkaria Commission—every one of them says that whether the Government has lost its majority or not should be determined on the floor of the House, was not followed. Never has any circumstance been pointed out when the Governor should not allow the House to meet and decide whether the Government has majority or minority—except in the Governor's report

there is one situation where for example if Government keep postponing the summoning of the Assembly and the Government tries to take advantage merely of the constitutional position which says that the House may not meet for six months and on that ground keep on postponing it for three months, four months or six months, only in such a case the Governor is required to force him to call the Assembly. That is the only situation in which it is conceived that the Governor can take the initiative and do something. Here the Speaker had convened the sess'on of the Assembly on the 27th and on the 21st the House is dissolved. I think this is without precedent. I do not recall a single case where a House is in session' an Assembly is in session and the Assembly is dissolved. It is totaly without precedent. The House had been adjourned. It had not been prorogued. Therefore, it was still in session. Therefore, Mr. Bommai did not have to go to the Governor and ask him to summon a session of the House on 27th. Because the House had been adjourned and it had not been prorogued, he had only to request the Speaker to convene it on the 27th. No explanat'on is offered by Mr. Hanumanthaopa. No explanation is offered even by Mr. Buta Singh in his prelinvnatry remarks, as to why the Assembly was by passed. And the best explanation conceivable is the one offered by my friend, Mr. Bhandare, saying that a counter had been opened outside and, therefore, the Governor could not allow the Assembly to meet. My friend, Mr. Gurupadaswamy also said that no one would favour horestrading and whether it is done by this party or by that party, it is totally undermining the roots of democracy in the country. But in order to save it, all that you have to do is not to do it yourself. It 's pot calling the kettle black or the kettle calling the not black and everyone is thinking that this is fine. It will go on. In that manner you destroy democracy also. You give no explanation as to why the Assembly was not allowed to meet on the 27th. In fact, I have been telling friends from the Congress Party that it is not merely the manner in which you have violated political ethics and constitutional norms that cause me anguish, I am surprised that they have not shown even political wisdom. Here was a party and here was a Government in which bitter faction fighting was going on, quite comparable with the faction-fighting that is going on in your States. You may have allowed it to carry on with these finds in the same manner. I do not know whether it would have surv ved on the 27th or not. I do not know. It is difficult for me to say. It may have survived. It may not have survived. But its condition was like a critically-ill patient. Because the pat ent is critically ill, does that give you the right to murder the patient, to kill the patient? Does it give you that right? All that you have done by so doing is that you have given a political handle to the opposit.'bn. You have done it. Therefore, I am amazed at your political wisdom also. You have said that Janata Dal has committed harakiri. But by promulgating the President's rule, it is you who are trying to commit harakiri not merely in Karnataka but in the whole country. Why are you doing it I do not understand it. It baffles me. Article 356 is an art'cle about which there was considerable debate in the Constituent Assembly. What was the suspicion? Hridaynath Kunzru was its biggest opponent. He said that he was afraid that once you provided it in the Constitution, the Central Government will be using it to deal with maladministration, to deal with corruption. Dr. Ambedkar stoor *up* very firmly to say that under no circumstances will this provis'on be used to deal with maladministration. That is a different matter. Only a single situation woui.l justify this and that single situation is when the Government of that State cannot be carried on in accordance with the provisions of the Constitution. You just explain to e how

[Shri Lal K. Advani] "wag it a situation in Karnataka where the Government of the State could not be carried on in accordance with the provisions of the Constitution. You quoted from the Sarkaria Commission. You said, "the Government loses the confidence of the Assembly and still does not resign." Yes, perfectly justified.

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: Majority.

SHRI LAL K. ADVANI; Yes, majority. But you should not forget that there is a difference between losing a majority and losing the confidence of the Assembly. There can be a minority Government which commands' the confidence of the Assembly. In' this case, even on ihe basis of figures that were subsequently available which are indicated even in the second letter, on paper, there is nothing. There is nothing""to say, at least for me. I cannot say with confidence whether on the 27th, Mr. Bomniai could have proved his confidence or not. I cannot say. But I do know this that till now no single body in the whole country, not the Speakers' Conference, not the Governors' Committee, not the Governors' Conference, not the Sarkaria Commission has ever said that trie test of majority or minority should be Outside the House. The Governor under no ,circumstances should Usurp the legitimate authority of the Assembly. This is my contention.

SHRI P. CHIDAMBARAM: Will you please yield for a' minute? I am grateful for this exposition of the Constitution. Would Mr. Advani try to refresh his memory and let us know how on the 31st of December, 1977. Mr. Govind Narain dismissed the Government of Devraj Urs when the Assembly had been summoned on the 3rd of January. This was a precedent set up by your Government.

SHRI LAL K. ADVANI- Yes, I know. I will explain.

SHRI P. CHIDAMBARAM: Your Government said that if horse-trading takes place outside the House, the Governor is entitled to take note of the horse-trading and dismiss the Government. Would you explain that first?

SHRI LAL K. ADVANI; Thank you, Mr. Vice-Chairman. This is exactly what my contention is that today there is no argument except saying that you did it. There are certain things which were done in that period which I cannot defend. And I would not defend what happened in Karnataka in that year. I have not done it, just ais I woulid not defend even the wholesale oro elamation of President's Rule in several States which was done in 1977.

SHRI P. CHIDAMBARAM; Sorry, your Government did defend "• Your Government defended it. And you were a part of the Governmenl:.

SHRI LAL K. ADVANI; I am aware of that.

SHRI P. CHIDAMBARAM: You have not resigned then.

SHRI LAL K. ADVANI; But after that, so many things have happened, and I thought that at least after the setting up of the Sarkaria Commission, the Government itself was conscious that hereafter we should exert that the strains between the Centre and the States should not grow.

SHRI DIPEN GHOSH; Two wrongs cannot together make a right.

SHRI P. CHIDAMBARAM: I am sorry, I would not normally interrupt Advaniji. Since he said there was no example, I thought I should bring to his notice the example.

SHRI LAL K. ADVANI I did not 1 say there was no example. Whan I said no example, I was reJEerriBg

to the Assembly being dissolved while in session. That is the only case. It would .he pertinent to mention that in January, 1935, immediately after the Prime Minister took over, after Mr. Rajiv Gandhi became the Prime Minister, I had an occasion to have a half an hour or 45 minutes' chat with him, person to person, when he mentioned Punjab,

mentioned Assam, and he also mentioned Centre-State relations. And then when he mentioned Centre-State relations and asked my party's point of view, my Party's point of view on this question, I said that my Party's -point of view is that while •there is a clear case of devolution of financial powers in favour of the States and the States should be given more elastic resources, but so far as political and administrative relations go, by and large, the provisions of the Constitution are sound. We hold that the proWems that have arisen, have arisen because of abuse of powers by the Centre. And I specificially mentioned Article 356. I am ieyealing no confidence when I say that the Prime Minister was -inclined to agree with it and said that what was done in the past in this regard was wrong, what you did was wrong, what my Government did was wrong'. He was referring obviously to both 1977 and 1980. And then he mentioned also Karnataka particularly, specifically, and said that 'there has been pressure on me that something should be done about Karnataka; I have resisted it. And I have not agreed to it, he said, because I want to see that in this regard the right thmg is done. His remarks made me optimistic. His stand, his position taken in 1985 aroused hopes in me and I said, maybe, hereafter things will be d'fferent. But what do I find, that towards the end of his tenure, it is once again Karnataka, which becomes a crucial point. The only justification the Government can offer is: did you not do it, did you not do what our Government is doing, what is your Government doing, how is the Janata Dal behaving? I hold no brief on behalf of any party. I hold no brief on behalf of the Bommai Government. And therefore it is that I feel that what you have done today is a flagrant violation of all democratic norms and particularly with a report of this kind in your hands.

Suppose, for instance, today this House decides to disapprove of this motion, or suppose, for instance, someone goes to a court of law and challenges the bona fides of this order and the court decides as it did in the case of Nagaland, the Assam High Court gave a judgment against the Proclamation. After all the House has been dissolved and so the wrong cannot be rectified. In this context the Sarkaria Commission has made a very very vital suggestion. I do not know whether the Home Ministry has examined it. This is on page 176 of the Report. It has said, we recommend that the State Legislative Assembly should not be dissolved either by the Government -or the President before the Proclamation has been laid before Parliament and Parliament has had an opportunity to consider it. It should only be suspended". Only after the Parliament has approved the Proclamation, then alone it should be dissolved. Article 356 should be suitably, amended to ensure this. I think this is a very sound suggestion given by the Sarkaria Commission and in today's context the Government would do well to accept this recommendation and amend article 356 accordingly.

Mr' Vice-Chairman, Sir, my last point is that after all when the Government decided to set up this Commiss'on, it was a recognition that the Centre-State relations -were not on an even keel, -there needs to be something done about it. And that is why this Commission was set up in 1984. It submitted its report in 1987, mid 1987, and today 'for nearly two years the Government has been sit ting tight over it. J remember when this matter was discussed in this House in Pecember last, i said

[Shri Lal K. Advani]

ously the Government wishes only to talk it out. It has no intention of implementing any recommendation. I do not regard th's as a radical report. There is nothing radical about it. It is a cautious, conservative report. And even though it is a cautious, conservative, it does make suggestions, make recommendations, which would remove the advantages you have today in respect of article 356, in respect of so many matters. Therefore, you are not going to implement any of the important suggestions of this report. This is my view.

So, when you reply to this, I would like the Home Minister to tell me what is the Government's position in respect of these recommendations which have been made by Sarkaria and what is the Government proposing to do? Are these going to be implemented before the coming elections or is it going to be left to the new Government that takes over to implement these recommendations.

With these words, Sir, I support the Mot'on moved by my friend, Shri Gurupadaswamy, and oppose the Resolution that has been moved by Shri Buta Singh. Thank you.

SHRI BAHARUL, ISLAM: Mr. Vice-Chairman, very important questions have been rased by several leaders of .the opposition parties and I will submit that these objections have no legs to stand on. Mr. Gurupadaswamy said that 'proper norms and standards' are to be maintained in exercising the power by the Governor under article 356. There cannot be two op'nions on this. I will also try to show when I come to my own points that 'proper norms and standards', particularly Constitutional standards, have been maintained in this case, and I would go one step further and show in the course of my speech that the Governor's action is a step towards the promotion of those ideals to which Mr. Gurupadaswamy himself has referred. Then Mr. Balanandan in his speech said that the office of the Governor should not be used for political purpose by the Government. There are no two opinions in this. Certainly in this case also, I will show what the Governor has done is strictly in accordance with the provisions of the Constitution and also based on political morality. Mr. Upendra, said that Governor's action is the *murder of democracy'. It is a high-sounding expression; there is no doubt about it. I will try to show that it is not the case. On the contrary, it is a step towards a clean and value-based politics. Mr. Upendra also asked as to how did we know that the signatures that appeared were correct reating *to* those 18 or 17 members. These are very small matters and in course of my argument, I will show later on the signatories themselves had admitted; they did not deny that these were not their signatures, because they knew that 'f they denied, they stood the chance of being prosecuted. And then, the signatures are well known to the Secretariat of the Legislature. As you know, when a new Member comes here, he takes the oath and when he goes that way, he puts his (Signature before the Secretary. The same Procedure Is followed in the AssembV also. Day in and dav out. the legislators sign on various papers in the Secretaf'at, in the Notice Office, as we do here. So these signatures are known and need not be proved. In addition to this, these have been admitted by them,

mr. Advani certainly, I must say, raised the debate to a very high standard. I have no quarrel with his proposition: I support him. He said about proper use of article 356 and abuse of it. and he referred to the Sarkaria Commission Report. Sarkaria Commission Report until now is just a reoirt: it has not become a law. Therefore, I will a*lso* try to show as to what the differenrs is between taking- action on admitted signatures Of applications and deciding the ma-

jority on the floor of the House, whether it is the same thing or these are two different things, and which is better. I will show it later on. Mr. Advani also said as to why the Governor did not wait for a few days more when the date of the Assembly was fixed. The date was fixed as 27th of April and the Governor passed his order on 19th of April. Certainly, the Governor must wait for one week or two weeks or even one month, if necessary, and if it is not necessary at all, or it is absolutely useless to wait for seven days, why should he wait? He should act immediately. I will also show that it was absolutely unnecessary to wait even for a day.

Now I come to my own points. So far as the present action of the Governor of Karnataka is concerned in recommending to the President of India for dissolution of the House snd to bring in President's rule, article 356 can be and should be examined from two points of view, either to condemn the action or to support the action. Number one is, whether the report or the recommendation of the Governor to the President, or alternatively, prumulgation of President's rule, Constitutionally valid. If answer is yes, then We are foreclosed so far as the first point is concerned. The second point would be, the second aspect would be, is it politically and legally justified? This is also necessary because we are running **a** political system. Let us take the Constitutional aspect. Mr. Advani spoke about the Nagaland case. The case came up before the High Court. I also know that case and I have spoken on that. In the case of Nagaland, the position was exactly similar. The High Court said that the 'report of the" Governor was not acceptable. I have great respect for the judiciary because I have had the privilege of having been one of the humble servants of the High Court judiciary and also the Supreme Court. The power of the High Courts and the Supreme Court is under article 226 and article 32 respectively. The judiciary concerned with looking into the ambit or scope of the powers of the Governor. If the High Court or the Supreme Court, as the case may be, finds that the Governor's action is within the ambit of the Constitution, that is the end of the matter. The correctness or incorrectness of the action cannot be examined by the High Court Or the Supreme Court because that would depend on the facts and circumstances. The functions of the High Court or the Supreme Court are purely Contitutional, to look into the extent of the powers. Now, so far as the High Court's judgement is concerned, they have said that the report of the Governor is 'unacceptable'. As I said, acceptability or unaeceptabilitv depends on the facts and circumstances in each case. The High Courts or the Supreme Court do not have the power to examine them. This is the big difference. In any case, the order of the High Court is now pending in an appeal before the Supreme Court. The final verdict would be given by the Scpreme Court and this would be the law for the whole country.

Let us consider the Constitutional aspect. Article 356 says: 'If the President on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance wih the provisions of this Constitution, the President may by Proclamation. .' etc. Therefore, the President has to be satisfied. In this context, it is agreed by everybody that it is not the President but it is 'really the Council of Ministers because the President exercises this power under this article, with the aid and advice of the Council of Ministers. If there is an?[7] fault, it lies on the head of the Council of Ministers. The article also says' or otherwise'. The President, i.e., the Central Government, has other agencies from which they can collect information. The article says 'if the Presi-

[Shri Baharul Islam]

dent is satisfied'. My submission is that this satisfaction* is final, subjective. The Supreme Court or Parliament cannot examine that. No Member who has spoken before me has questioned this-, the Constitutional aspect. So far as the Constitutional aspect is concerned, the Governor's 'report and the President's order are valid.

The most important point which has been thoroughly debated in this Bouse today is whether the report of the Governor is legal and proper. It has been argued very strongly by Mr. Advani and other speakers also: why did the Governor take action on the letters from the ninteen M.L.As later on from the seven MLAs and why did he not wait for a few days morfel This is the most important point. It is the case of Opposition leaders also that politics must be value-based and that thing must be done properly.How can it be done? Here I am not going to talk about the the 'cash' counters and other thihgs. But the thing. is. 19 members who had supported Hegde in the beginning, later on also supported Bommai, wrote letters to the Governor saying that they have withdrawn their support te Mr. Bommai. Now these 19 letters are admitted What is the result? The result is, Bommai's Government is in the minority. It is a simple arithmetic. Now the question is. Mr. Advani talked about the Sarkaria Commission's report. But if the Governor finds that there is still a better method. more expedient method, why anothe valuable 8 or 9 days Of public life should be lost. You answer me that. I am hundred Per cent satisfied from the 19 letters that Bommai's Government is in the minority.

SHRI LAL K. AIDVANI. As I said, there is a difference betewen being a minority and losing the confidence of the House. There have been minority Governments, scores *of* them in the whole world and even in our country we hav had at the Centre a minority Government but the test is confidence of the House and for that the Assembly or the Legislature alone is the place. This""has been emphasized by everoyone. Even assuming for a moment that these 19 had withdrawn support, evea after that, could the Governor say that he did not have the confidence of the House? This can be decided only in the House.

SHRI BAHARUL ISLAM; So far as legal and constitutional proposition is concerned, I do hot quarrel with Mr. Advani. That is correct as a legal proposition but the question is, the Governor js satisfied, he has given the figures, he has given the break-up of the figures in his report. He is satisfied that if these 19 members are deducted, the Bommai Government ie in the minority, (interruptions). I am answering. The question asked is, why did you not wait for another 8 to lO days? That means you want to say, "Please give us one week ar 10 days so that we can woo those petteows or a few more persons/' *Is* it or is it not "horse-trading'? is it not encouraging horse-trading or what is called in India, aya Ram and gajta Ram? Is it Value-based politics? Certainly not. Therefore, in my respectful submission the Governor was fully justified in saying that the Bommai Government standg in minority. There is no reason why he should have waited for another 8 to 10 days. In that case it would amount to encouraging Horse-trading. Therefore, I say with all respect that the action of the Governor in this respect was not a murder Of democracy. On the other hand, it was a step forward towards clean public life and clear, political life.

Let us for a moment accept the argument of Mr, Advani that Bommai could get majority in the House but the fact is that the stability of the Government of Karnataka depended on the conduct of these 19 persons. These persons are capable of with-

drawing their support to Bommai . again after ten days or so. The Goverrjpr had every reason to believe of disbelieve the conduct of thge .19 persons. Therefore, he may very well say that these 19persons are not dependable at all. True^ on the 27th he may have said "that he bas the majority, but the Governor *had* the reason to believe that these 19 persons, would again withdraw,their support and again. the Government will be in the minority. So,.it .is .better he has advised the Goyernment; to do this and hence this President's rule.

My 'submission is that the Governors report igletrictly hi consonance with the cqositutionaj .provisions. The, Presdant;s,-aisois strictly in cpnsonamce with artiele 356, of the consiitujtion and from the ^gal and .propriety' side also, ,tbe Goyeiv nor's report is, ab solutely souna Therefore I "support the Resolution moved; by the Home minister and oppose the metion moved by 'Mr. Gurupadaswamy.

THE DEPUTY CHAIRMAN Mr, Gopasamy as mr Chaturanan;, Mishra 'has to go. . somewhere,he has me to call him first.

श्री चतुरानन मिश्र (बिहार) : उपसभापति महोदय, अपने देश में एक कहावत है कि भगवान जिसको मुसीबत देना चाहता है उसकी बुद्धि गड़बड़ा जाती है। जब खुदा चाहता है कि किसी पर मुसीबत आये तो पहला काम यह करता है कि उसकी बुद्धि मार देता है। (व्यवधान)

SHRT SUBRAMANIAN SWAMY- It is a good sign that Communists are talking about God.

SHRI . CHATURANAN MISHRA: Perhaps you are surprised about it. Because you are a believer and yet pose as not believing in Him, that is why you are perhaps surprised about it

मैं आपसे यह कह रहा था कि हम लोगों को लग रहा है कि यह बात अब रूलिंग पार्टी के लिए हो रही है। देश के जितने अखबार हैं राष्ट्रीय प्रैस के, सभी ने लगभग कंडम किया है आपके इस आदेश को । यह कोई एक दल की बात नहीं कह रहा है । "हिन्दू" हमारे सामने है । इसका जो एडीटोरियल है इसके फर्स्ट सन्टेन्स में लिखा है :

"Dismissal of the elected State Government im .Karnataka and the dis solution of State Assembly I is a blatant fraud on the constitution.

आप कहेंगे कि "हिन्दू" अखबार में यह सब जो चल रहा है यह हम लोगों के कहने पर है। "स्टेटसमैन" ने भी यही लिखा। "टाइम्स ऑफ इंडिया" ने भी यही लिखा। आपकी बुद्धि मारी जा रही है। जरा सुनिये लोगों की बात (व्यवधान)

श्री भंवर लाल पंवार (राजस्थान): आपने जो उद्धृत किया है उसके सम्बन्ध में मेरा प्वाइंट आफ आर्डर है। इसी चेयर से यह कई बार कहा जा चुका है मैं उसको रैफर भी कर सकता हूं। आपकी अपनी बुद्धि क्या कहती है वह इस हाउस में कहा जाता है। अखबार क्या कहता है वह इसमें कभी नजीर के रूप में आता नहीं। इसलिए इस प्रकार से अखबार से उद्धृत करके यहां पर नहीं कहा गया है। चेयर ने कई बार रूलिंग दी है।

SHRI DIPEN GHOSH: Where had you been when Mr. Bhandare- . was quoting from the Indian Express?

SHRI B. L. PANWAR: I am telling this for all. I am referring to the decision of the Chair. Therefore I say...

THE DEPUTY CHAIRMAN: Don't interrupt, please. He is making a point of order. Why are you interrupting him? He has the right to mak a point of order.

SHRI B. L. PANWAR; What is this after all?

SHRI DIPEN GHOSH; fe it a point *of* order?

श्री भंवर लाल पंवार: मिश्र जो आपने जो प्रारम्भ में बात कही उसको भगवान के लिए इस तरह से मत कहिये। भगवान किसी को मारता नहीं (व्यवधान) हथियारा राम अपने आप मर जायेगा कर कर खोटे काम यह तो हमेशा से हिन्दुस्तान में कहते आये हैं कि भगवान कभी किसी को मारे नहीं, हथियारा राम अपने कर्म से मर जायेगा कर कर खोटे काम। यह हमेशा हिन्दुस्तान की बात रही है।

श्री चतुरानन मिश्र: यह प्वाइंट आफ आर्डर कैसा है मेरी सत्बुद्धि में तो समझ में नहीं आ रहा है। आपने रूलिंग भी नहीं दी है। मैं आप से कह रहा हूं कि सारे देश के अंदर इसकी निन्दा हो रही है तब भी अगर आप नहीं मानते हैं और समझते हैं अपोजिशन के मुट्ठी भर लोग सारी बात कह रहे हैं तो इसको क्या कहा जाए सत्बुद्धि तो आपकी मारी जा रही है कोई बुद्दिन आप पर आने वाला है यह इसका संकेत है।

दूसरी बात मैं आपसे कहना चाहूंगा कि अपने देश की राजनीतिक व्यवस्था कि अपने देश की राजनीतिक व्यवस्था में यह बिल्कुल सभ्य बात हो गयी है कि केन्द्र में किसी पटाटां की सरकार रहेगी तो राज्यों में दूसरी पार्टी की सरकार रहेगी। आप इसको रोक नहीं सकते, कोई और भी नहीं रोक सकता। आपने अभी कोशिश की थी। तमिलनाडु में हमारे गृह मंत्री जी गये थे और कोशिश भी की थी। सत्बुद्धि आयी तो फिर जयललिता से गठबंधन किया। इसलिए मैं कह रहा हूं कि यह रियलिटी है इस पालिटिक्स की। इसको समझ कर अगर आप काम नहीं करते तो वही होगा जो तमिलनाडु में हुआ। अगर आप इसको सारे भारत में करना चाहते हैं तो हम आपको रोकने नहीं जा रहे हैं, हम इसमें आपकी मदद करेंगे।

दूसरी बात भी उसी दृष्किोण से देखने की है। आपकी पार्टी बड़ी पार्टी है। अभी कुलकर्णी जी बोल रहे थे कि हमारी सौ वर्ष की परम्परा है। अच्छी बात है। इस सत्य को समझकर आपको समझना चाहिए कि ये जो स्टेट गवर्नमेंटस हैं, ये कोई म्यूनिसिपल बोर्डस या कोआपरेटिज नहीं हैं कि आपने जब चाहा इनको तुरन्त भंग कर दिया, सुपरसीड कर दिया। ये एसेम्बलीज हैं और एट दी प्लजर आफ राष्ट्रपति नहीं हैं या कोई सिविल सर्वेन्ट नहीं हैं। संविधान के अनुच्छेद के मुताबिक विद्यमान हैं जनता द्वारा चुने गये हैं और संविधान के मुताबिक वे वहां पर हैं। लेकिन आप उनको जिस केजुअल तरीके से विहेव कर रहे हैं वह उचित नहीं हैं। आप अपनी पार्टी के मुख्य मंत्रियों के साथ केजुअल लेबर की तरह से व्यवहार करें तो हम आपको नहीं रोक सकते हैं। लेकिन सारे देश के साथ यही बात हो तो देश के लोग उठेंगे और इस तरह से आप बगावत को इंवाइट कर रहे हैं.. (व्यवधान)। अगर आप बगावत को इंवाइट करते हैं तो हमको यह चेलेंज स्वीकार है और इसके लिए हम तैयार हैं। इसलिए मैं कुछ बातें कहना चाहता हूं। अभी श्री बहरूल इस्लाम बोल रहे थे। जो सुप्रीम कोर्ट के जज रह चुके हैं। जितने भी प्रोविजन्स किये गये हैं और गवर्नर्स की मीटिंग में क्या कहा गया है, यह आप सब को मालूम है। कोई गवर्नमेंट माइनोरिटी में चली गई है या नहीं और कब एक्शन लेना है तो यह कहा गया कि जब गवर्नमेंट माइनारिटी में हो जाये तभी गवर्नर को एक्शन लेना होगा। इसलिए गवर्नर की मीटिंग में कहा गया है–

"Where the Governor is satisfied by whatever process or means that the Ministry no longer enjoys majority support, he should ask the Chief Minister to face the Assembly and prove his majority within **the shortest** possible time."

इसलिए हम आपसे जानना चाहते हैं कि अगर आपका इसमें मालाफाइड इंटेंशन नहीं था तो क्या कारण है कि गवर्नर के डिसीजन को आपने नहीं माना। गवर्नर कम्युनिस्ट पार्टी ने एपान्ट करके नहीं दिये हैं, गुरूपादस्वामी ने एपान्ट करके नहीं दिये हैं। ये सब के सब आपकी पार्टी के गवर्नर हैं आपने बहाल किये हैं। ऐसी स्थिति में आपने उनके निर्णय को क्यों नहीं माना। इसमें आपका मालाफाइड इंटेंशन नहीं हैं तो और क्या कारण हो सकता है? मेरी निगाह में तो बईमानी के अलावा कोई कारण नहीं हो सकता है।

SHRI DIPEN GHOSH: WE always support the weakest. You were weak theN and so we supported you.

श्री चतुरानन मिश्र : क्या आप समझ रहे हैं कि ये तमाम गवर्नर जो एपान्टस थे सब इम्मोरल थे? अगर यह आपका केस है तो हम इसको जरूर रिकंसीडर करेंगे।

दूसरी बात उन्होंने गोहाटी हाई कोर्ट के डिसीजन के बारे में कहा। उस अभी सुप्रीम कोर्ट का फैसला नहीं हुआ है। इसलिए अभी तक तो वह डिसीजन सारे देश के लिए समझा जाएगा। आपने हाई कोर्ट के डिसीजन को क्यों नहीं माना? इन्दिरा जी की सरकार माइनोरिटी में थी। हम ने कम्युनिस्ट पार्टी ने उसका समर्थन किया था और यह कहने में हमें कोई हेजीटेशन नहीं है... (व्यवधान)। धन्यवाद तो आपको अभी भी देना होगा। अभी कुलकर्णी जी ने कहा कि वैल्यू के मुताबिक राजनीति को चलाना चाहिए, राजनीति वेल्यू बेस्ट होनी चाहिए। मैं उनसे कहना चाहता हूं कि दोनों कम्युनिस्ट पार्टियों से जब श्री जल सिंह राष्ट्रपति थ और आपको डिसमिस करना चाहते थे तो हम लोग मैदान में आए और कहा कि उनको अधिकार नहीं है क्योंकि उनकी मेजोरिटी है। ऐसी स्थिति में आप बताइए कि आपको कहां मान्यता है, क्या वेल्यूज हैं। हम उनको नहीं रोकते और यह नहीं कहते कि आपको अधिकार नहीं है तो आज आप किसी प्लेट धोते रहते। कैसे हमने कांस्टिटयूशन को अपहिल्ड किया। आप इस बात को समझिये आपकी गलती क्या हुई है? आप आर्टिकल 356 को लागू करना चाहते हैं, लेकिन यह लास्ट रिजार्ट है, लेकिन गवनर ने इसको फर्स्ट में कर दिया। कोई भी बात को समझने की कोशिश नहीं की। यह माना कि एम० एल० एज० चले गये थे। कैसे चले गये और कहां गये वह दूसरी बात है। मैं मानता हूं कि यही बात हुई थी। वैसे गवर्नर साहब ने उपसभापति महोदया, लिखा है कि:

"It is ateo reported that horse trading is going on."

Who reported this to him? The Home Minister here? Who gavE him that, report?.

या बाजार में जाकर कहां मिल गया किसी मछली बेचने वाले की दुकान से रिपोर्ट मिली कि हार्स ट्रेडिंग हो रही है और अगर हो भी रही है तो किसने रोका था उनको? मुख्य मंत्री ने कहा था कि 27 को बुलाइये। उन्होंने क्या किया? ड्रामे के आखिरी आक्ट में तय कर दिया ताकि पार्लियामेंट भी कुछ न कर सके क्योंकि शनिवार और इतवार की छुट्टी रहती है। आप आदेश देते कि सोमवार को हाउस बुलाइये। हम 48 घंटे से ज्यादा का समय नहीं देंगे। यह आपने क्यों नहीं किया? अगर ऐसा करते तो बात खत्म हो जाती और इतनी आलोचना आपको न सुननी पड़ती।...(व्यवधान)... इसीलिए हमने आपसे यह कहा कि जो लास्ट अटेंप्ट में करना चाहिए था उसको गवर्नर ने फर्स्ट अटेंप्ट में कर दिया, बिना किसी से पूछे। कम्युनिस्ट पार्टी के जो माननीय सदस्य इस हाउस में हैं क्या आपने उनको पूछा कि आप इस गवर्नमेंट को सपोर्ट करते हैं? आपने उनसे क्यों नहीं पूछा? आपने इसलिये नहीं पूछा क्योंकि आप असेंबली में जाने

[श्री चतुरानन मिश्र]

से डर रहे थे। हम आपसे कहना चाहते हैं कि इसका सिर्फ एक ही कारण था कि अगर उनकी मेजोरिटी हो जाती तब सारा भंडाफोड़ हो जाता। इसके अलावा और कोई दूसरा कारण नहीं है। हमने कहा था कि हम उनका समर्थन करेंगे। आप नहीं कह सकते कि कम्युनिस्ट लोग हार्स ट्रेडिंग में जा रहे थे। एक बी०जे०पी० के एम एल ए उधर चले गये।

श्री लाल कृष्ण आडवाणी : दो साल पहले उनके खिलाफ ऐक्सन लिया गया था और तब से वे जनता पार्टी में थे।

श्री चतुरानन मिश्र : श्री जे पी ने अभी कहा कि दो साल पहले इनका गवर्नमेन्ट हो गया था। ..(**व्यवधान**).. आपको उनसे पूछना चाहिए था और हाउस बुलाया जाता इससे सारी बात स्पष्ट हो जाती। लेकिन इसको आपने नहीं किया। अल्टरनेटिव व्यवस्था जिसका प्रावधान है उसके अनुसार गवर्नर पहले यह जानने की कोशिश करते कि मेजारिटी किसकी है और किसकी नहीं है। इसके लिये वे उनको बुलाकर बात करते। लेकिन बहुत ही जल्दबाजी में उन्होंने इसको कर दिया। (समय की घंटी)

दस मिनट का समय और दे दीजिए।

मैं आपको कहना चाहता हूं कि जब बिहार की असेंबली में बहुमत भागवत झा आजाद के खिलाफ चला गया था तो बटा सिंह ने जो यहां पर बैठे हुए नहीं हैं, दूसरे मंत्री बैठे हुए हैं उन्होंने बटा सिंह जी को कहा था कि आप वहां से बिस्तर बांधकर चले जाइए। आपने यहां पर क्या किया? बजट सेशन में असेंबली को स्थगित कर दिया, मर्सेंड नहीं किया, जब कि बजट का काम जल्दी किया जाना था। लेकिन कर्नाटक में बजट पास नहीं हो रहा था। बिहार में जब आपने एम० एल० एज० से अपील कर लिया कि भागवत झा आजाद का बहुमत नहीं है तो आपने वहां पर दूसरा मुख्य मंत्री चुनकर दे दिया। यही बात जनता पार्टी के लिए क्या नहीं लागू हुई? अगर उन एम एल एज ने गवर्नर को लिखकर दिया था ...(**व्यवधान**) ... हमारी बात सुन लीजिए। हम आपसे कह रहे हैं कि बोम्बई साहब की लीडरशीप को वे लोग मानने के लिए तैयार नहीं थे और कलकत्ता की लीडरशिप को मानने के लिए तैयार होते तो वह काहे को नहीं होना चाहिए था।

श्री पशुपति नाथ सुकुल (उत्तर प्रदेश) : बिहार में हमारे किसी भी एम एल ए ने गवर्नर को अपना रिजिगनेशन नहीं दिया था लेकिन यहां पर गवर्नर को लिखकर दिया गया।...(**व्यवधान**)

श्री चतुरानन मिश्र : सुनिये। यही मैं आपसे कह रहा हूं कि गवर्नर को शुरू जैसे ही लटंत का काम नहीं करना चाहिये। यही हम कह रहे हैं कि आप इसकी जांच कर लीजिये। आपने उनको मौका क्यों नहीं दिया? कोई दूसरा लीडर जनता पार्टी का बन सकता है या नहीं यह जानने की कोशिश क्यों नहीं की। अगर आप ऐसा करते तो हम इसको उचित मत लेते, यही मैं आपसे कहना चाहता हूं। हमारे संविधान में इस बात की व्यवस्था है कि लोग अपने लीडर को बदल सकें, मुख्य मंत्रियों को बदल सकें। लेकिन आपने उनको बदलने का अवसर नहीं दिया। इस प्रकार संविधान के प्रावधान का आपने अपहरण किया है। इसीलिए मैं कह रहा हूं कि आपने संविधान की हत्या की है। आपने उनको इसका मौका नहीं दिया। क्या आपको यह अधिकार नहीं है कि आप प्रधानमंत्री को राजीव गांधी को बदल सकें? ...(**व्यवधान**)... नहीं है अधिकार ...(**व्यवधान**)... ऐसे जीव-जंतुओं से हमारा मुकाबला यहां हो रहा है। वे कह रहे हैं कि ऐसा नहीं है।... (**व्यवधान**)..

श्री दीपेन घोष : वह हां कहेगा तो मरेगा, उनको मत पूछो। (**व्यवधान**)

श्री चतुरानन मिश्र : इसलिए उप सभापति महोदया, जिस बात के लिए हम

हम कह रहे थे कि गवर्नर साहब ने अपने पत्र में लिखा है कि सात एम०एल०ए० जो फिर गये उनको प्रेशराइज किया गया होगा, हम नहीं कह सकते कि नहीं किया गया होगा लेकिन गवर्नर साहब ने इसका कोई सबूत नहीं दिया है कि किस ने प्रेशराइज किया । एट लीस्ट गवर्नर साहब ने तो प्रेशराइज नहीं किया । दो ही आदमी जान सकते हैं एक तो जो प्रेशराइज हुआ है दूसरा प्रेशराइज करने वाला । यों गवर्नर साहब न तो प्रेशर बनने वाले हैं और न प्रेशराइज होने वाले हैं । इनको कहा किस ने कि प्रेशराइज किया गया । यह गवर्नमेंट के रिकार्ड में कहीं है क्या, यह हम जानना चाहते हैं? पार्टी अनुशासन के नाम पर अपनी पार्टी से कोई इस्तीफा दे तो इसका मतलब यह नहीं है कि उस दल में इनाडीसालेन है । कभी कभी तो हम को लगता है कि यह जनता दल है या दल-दल है । यह पता नहीं चलता लेकिन अभी यह विषय नहीं है अभी इनके संवैधानिक अधिकार का विषय है। अभी देश के तमाम लोगों के संवैधानिक अधिकार का प्रश्न है । यह अकेले आपकी पार्टी का मामला नहीं है यह भेद-भाव का है । इसलिए हम लोग आपसे यह कहना चाहते हैं कि आपके गवर्नर ने बहुत अनुचित काम किया है, आपके गृह मंत्रालय ने गवर्नर को उचित आदेश नहीं दिया । आपको ऐसा नहीं करना चाहिये था, आपको थोड़ा ब्राड लार्जहार्टेड हो कर होम मिनिस्ट्री को कार्य करना चाहिये था । अब आप कहेंगे कि हम मांग क्या करें ? मांग तो इस देश मे करना बहुत कठिन है । पहले अगर रेल एक्सीडेंट हो जाता था तो रेल मंत्री से इस्तीफा मांगा जाता था । अब अगर रेल एक्सीडेंट पर इस्तीफा मांगने लग जाएं तो कोई रेल मंत्रा रह ही नहीं पाएगा क्योंकि रोज रोज एक्सीडेंट होते रहते हैं । पहले अगर हत्याएं होती थीं तो मांग करते थे कि होम मिनिस्टर इस्तीफा दें । अब तो रोज इतनी हत्याएं होती हैं हम को तो लगता है कि कोई होम मिनिस्टर इस देश में रहेगा ही नहीं । क्या करें, हम लोग भी संकट मे हैं कि किस किस से मांग करें लेकिन लगता है कि इस अनुचित काम करने के कारण संविधान का अपहरण करने के कारण आपकी सरकार को इस्तीफा देना चाहिये और देश के सामने जा कर कहना चाहिये कि अत्यन्त लज्जाजनक काम आपने किया है । धन्यवाद ।

SHRIMATl MARGARET ALVA: Madam, Deputy Chairman... *(Interruptions)*

SHRI P. CHIDAMBARAM; WhaT happened to the chivalry "of Mr. Dipen Ghosh?

SHRIMATI MARGARET ALVA He does not want to hear the truth

j SHRI P. CHIDAMBARAM: Where are you going?

SHRI MATl MARGARET ADVA: Truth hurts him now and then.

SHRI DIPEN GHOSH; She cannot perform better than what she did in Seoul.

THE DEPUTY CHAIRMAN; That is all right.

SHRIMATl MARGARET ALVA: I have been sitting since morning listening to the speeches essentially on the other aide trying to tell us what value-based' politics *is,* what constitutional provisions are, what they should be esserttially about what is wrong with us and what is right with them.

I would like to begin with — somebody mentioned that we cannot read, but I think everybody has been reading one report or the other since this morning — by referring to an interview by the late ... I am sorry, by the ex-Chief Minister. Mr. Bommai. I am very sorry. I apologise. The ex-Chief Minister. Mr. Bommai, on September 15, 1988 — quite a few months ago — in an interview to India Today...

PROF. SOURENDRA BHATTACHARJEE (West Bengal): You say: "May he live nong."

SHR MATI MARGARET ALVA: Yes, may be live long. Speaking about his own conditions, he said:

> '"No Chief Minister has been Put in such an extra-ordinary crisis as I have been. The Government is in a bad shape. There is a financial crisis and an administrative crisis and the experment of decentralisation faces teething problems. The party is in shambles with ali this rivalry." .

He went on further;

> "There was a psychology that anybody can do anything and get. away with it."

SHRI V. GOPALSAMY; What magazine is this

SHRIMATI MARGARET ALVA: This is *India Today* of September 15. This is the honest admission of a Chief Minister about what he had inherited from his leader and from his predecessor. When he started on this wicket and tried somehow to keep his erring followers or sheep together, he naturally ran into problems. When the Janata Dal was suddenly sort of born as it were, there was very, very strong...

SHRI V. NARAYANASAMY; Still-born.

SHRIMATT MARGARET ALVA: Still-born or whatever it was but there were the birth pangs and *on* manv occasions they were faced with the "challenge of whether the people would go or would not go, who would go with Mr. Deve Gowda, who would not go with somebody else. These are not facts on which I have to educate anybody here. They were open secrets. Madam, in a condition like this when three expansions of the Cabinet took place and people still found that they have been left* out, tensions were natural. I will, quote again the General Secretary of their party, Mr. Jeevaraj Alva no relation of mine, as I stated myself wi-the' morning, who in a hurriedly caleg press conference yesterday jn Bangalore; has tried to deny that he had-anything to do with the toppling: because that % what was mentioned in the Press. But he has admitted-"amid deepening crisis for the Bommai Minisiry the Jana'a Dal leader, Mr." Chahdrashekhar contacted me twice and suggested that we could try for. some conciliatory approach with Mr. Deve Gowda in a bid to save the Ministry. I conveyed the message of Mr. Chahdrashekhar to Mr. Bommai who" asked Me to get Mr. Hegde's consent to it first; before proceeding in the matter. When I took up the matter with Mr. Hegde,, he said no' to any such meeting with Mr. Deve, Gowda." Now, in other words, when there were desperate efforts within the party itself' to save the Government, Mr. Hegde said 'no, we will not do it'. Now, they- are talking about proving the majority. I was in Bangalore for four days. and I must say that when the question of presenting physically their MLAs before the Governor was suggested, again *Mr. Hegde said 'no'. Whatever the way of saving the Government that was being sorted out by the local leaders, Mr. Hegde's answer wag "no'.. Why? In spite of all. that has been said here again I would like to quote here, the Chief Minister himself who has admitted in the D*eccan Herald* and the report is there. I don't need to read it in detail but he has said For once it was not the congress (I) but the Janata Party which was active in destabilising my Government." The Chief Minister ha-; admitted that the Congress (I) was not involved but it was the Janata Party ... *(Interruptionsi)...* I do not know. Incidentally Mr. Subramanian Swamv is here. Mr. Jeevaraj Alva has very clearly mentioned here, Madam, that

this ig yet ano;her plant of Mr. Subramanian Swamy of the Janata Party and said that the ultimate target of Lhis campaign was none other than Mr. Ramakrishna Hegde who has become Mr. Swamy's pet obsession.

SHRl SUBRAMANIAN SWAMY; I will give a personal explanation later on.

THE DEPUTY CHAIRMAN; When your chance comes.

SHRIMATI MARGARET ALVA: prove hi the morning... *(intcrrup-* prove in the morning ... (interruptions) ... your own, leadership in Karnataka including many of my own friends who were in the Government we have all worked together in Karnataka — they ta ked very freely and frankly. Their own assessment is that th's was managed and manipulated by a group within the Janata Dal itself who were upset with the way Mr. Bommai was going about, asserting himseif and trying to run the Government as he 'thought best. Here I want to place before the • House two facts. Madam. One is the cancellation of the land which was allotted to the NRIs' colonies which was something which the previous .Government Or at least those who , made commitments under the previous Government did not take very kindly to.

SHRI SUBRAMANIAN SWAMY: • Value-based commitments.

SHRIMATT MARGARET ALVA: . You are right. Madam concerning NRI_S housing colonies, I do not want to lay hare any reports here because they*were laid on the Tabl of thee House in the Karnataka Assembly. All I want to say is that there was •a power crisis in Karnataka. When say 'power', I am not talking of 'political power-that is continuing of course. It was electric power crisis and there was hue and cr-.r and we were told as citizens of Karnataka lhat the then Chief Minister was going abroad to try and get NRI investmen s for the power projects in Karnataka and I must say Mps were called, we were asked for heip to get clearances from the Central Government for some of these projects, for investment and so on and we all felt that the State needed help 4.00 P.M. and we were prepared to support the Government as long as it was helping Karnataka to progress. Madam, an entourage of 19 people went abroad. I witnessed this because I was at that time in the U.S. and in the same hotel, 19 rooms were booked for the then Chief Minister and his entourage in Chicago when I was there and my room was also booked for them after I went. 19 people went for three weeks and what did they come back with ultimately? Investments in land in Bangalore where prime land was allotted to NRI societies. There was no power generation project or anything. But instead, it was the N.R.I, housing colony for which they had gone and got money which landed them in all the mess that was ultimately created, because questions are still being asked: who were the N.R.Is? From where the money was being brought? through which conduit was it coming? and why was there such a haste in allotting this land to societies even before they were registered? I have seen it in the BDA. Before they were registered the land had been allotted and now the new Chief Minister after his commitment to value-based Politics in keeping with his predecessor, cancelled them, saying that there is something hankv-Ranky in this and I do not want to get involved. That wai one cause why tnev were all unset. The second and the more important cause was that the GVK. Rao reoort was placd on the Table of the Assemblv by the new Ctve Min'ster Now. if that feoort were to be discussed and was to be used like they are trying to use many prher reports after all. evervhod,, can brincr out skeVtona from everxbadv's cupboard if they want to it was going? to be a great

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embarrassment for a lot of people in the Janata Dal Government or at least for those who were there before. So, the besj thing was to see that that Assembly did not last so that there was no embarrassment to those who had to be covered up and there would be no further discussion on it as far as the House is concerned. Madam, I want to tell you that their own Members keep giving explanations but before I go to any other detail, they have talked about horse-trading. I do not lik the word "horse-trading" because somehow or other it demeans us, to be treated as cattle or horses to be bought and sold. But since this was discussed in tbe morning and since it was raised by friend, ■, Mr. Chandra Gowda—we have both been together in many many battles in JSaroataka and in opposite camps and camps together and actually both of us had been fighting the Janata Government at a very crucial time and we .know what we went through at various times butrletus not talk about it now I am reading a letter -from.Shri G. Baswanappa, a -former .Minister, who had written to the governor and you may investigate and perhap find put. This letter is there.

> His "Excellency, Governor of Karnataka, Raj Bhawan. Bangalore.
>
> Respected Sir,
>
> I had given your goodself a letter stating that I have .withdrawn my support to the Government, headed by Shri S. R. Bommai, *(Interruption),*

.SHRI ATAL BIHARI VAJPAYEE *(*Madhya Pradesh): How did you get a copy of this letter?

SHRIMATI MARGARET ALVA: have got a copy because he has given rne a copy.

SHRI ATAL BIHARI VAJPAYEE: Or have you got it from the Home Ministry?

SHRI MATI MARGARET ALVA: I do not have to prove from where I got the copy. Mr. Baswanappa has got enough copies for the press and for you also if you want. He has released it to the press. Let me finish this.

SHRI V. GOPALSAMY: Did you get it from the Indian Express?

SHRIMATi MARGARET ALVA: They will give roe a wrong copy.

SHRI V. GOPALSAMY: They won't trust you.

SHRIMATI MARGARET ALVA: "It is welcome that you have already initiated the constitutional action on it but subsequently yesterday, some of the Members of Shri Bommai's Cabinet brought undue pressure on me and physically forced me to sign a different type of letter. This might also have been sent-to you by them. Today, even at this late hour, I affirm and confirm that I have withdrawn my support to the Government headed by Shri S. R. Bommai and my earlier decision stands even today.

Hence. I request your kindself not to consider the second letter given to you by Shrimati Leelavati Prasad and Shri B. Rachaiah, who is the President. I also request you to take immediate Constitutional action to put an end to this yoe of illegal ways of the ruling party." This is Mr. Basavannappa.

SHRI PARVATHANENI UPENDRA-.

How much did you pay for this letter?

SHRIMATI MARGARET ALVA: I will tell you privately afterwards. Madam, there is another telegram. Again, four MLAs. Kalyan Rao Molikeri, E. Nanje Gowda, Gangadharappa and Shakuntala Chowgle. They have sent the following telegram. I will quote that also to you.

SHRI V. GOPALSAMY; When did you get that letter? After the dismissal?

SHRIMATI MARGARET ALVA:: That is a seceet. *Tbe* telegram reads::

"Chief Minister of Karnataka is pressurising and offering huge amounts to change side Stop Horse-trading going on Stop Immediately Constitutional action sought."

This is from MLAs. Madam, I want to say one thing. That is, 19 letters were given to the Governor. None of the MLAs has denied, the,fact that they gave the letters on the first day. Even when they have withdrawn, all of them have said, "We hereby withdraw or reconsider the letters we gave yesterday." Not one of them has said, "We never gave the letters.' In other words, all of them, even when they vanted to retract, have admitted' it. Ref: ;Our letter given yesterday'. It means that at a particular time, they admit, they gave the letters and they Were with the Governor. Then carte the reference to the pressure that was going on. Madam, as I said, i was in Karnataka. T have been eye-witness. I have heard from people themselves the price. And I am sorry to mention, it was Rs. 20 takhs, fen lakhs for giving the letter and ten lakhs later. Hot only that; plus the chairmanship of a corporation, I may tell you. *(Inter. rtption.* Here, in the middle of this ccnfusion, in the middle of all that was going on, this is on April 18th, .Mr. ,Bommal, answering questions in the press, said he would nominate chairmen for various boards and corporations within a week. He makes an announcement that he is going to start appointing which. is a bait for those who are thinking of coming in or going out. It is in the middle of this crisis that the .Chief Minister comes out with all these announcements. Here, ,1 would like also to quote a leader, whom all of them have called t-heir leader for a long time and which the State considers a very senior statesman Mr. Nijalingappa. In the Deccan Herald' of Sunday, April 23, after the dismissal, the following report appeared:

'former Chief Minister ,S. Nijajrn-gapoa said today that he has no tears to sihed for the dismissal of the Janata Dal Government in the State It should have been dismissed one year ago because indiscipline and selfishness had become so rampant."

This is Mr. Nijalingappa, their own leader who has. long been the guiding star of the party in Karnataka.

Madam, these are the facts as I lay before you. Of course, Mr. Advani will quote the Constitution. Somebody else will quote another provision. The ins and outs of the Constitutional law can be argued for days and days. My simple point js that when six.or seven or eight Governments .during the Janata rule were dismissed, we did go to the Supreme Court. I was one of .those who appeared as a junior lawyer for 21 days in the Supreme Court challenging the decision. And What .was the final verdict from,the..Supr.eme Court? They said th.at it was the prerogative of the Governor to decide whether.the Constitutional machinery had broken down or not. I want to say-I will repeat..again—I was witness to the events and so was Mr. Chandre Gowda to the event of 1977, 31st .of December, when we all sat here in Delhi and condemned what was done bv the Janata Government. But my point 5s at that time...

SHRI D. B. CHANDRE GOWDA: Don't forget that your present friend, Mr. Veerendra Patil, led the delegation.

SHRIMATI MARGARET ALVA: Led
the delegation to whom.?

SHRI D. B. CHANDRE GOWDA: For dismissal of the Government.

SHRIMATI MARGARET ALVA: Ls.t me tell you that the same Mr- Veerendra Patil has a record when after the split of 1869 in 197.1 if 1 am right—I. was not very active and old enough to know—in 19171 when after the parliamentary elections there were threatened defections, and he .was the Chief Minister, .the moment he found that he wag losing the majority, he went

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and suomitted his resignation. Though an alternative was offered to him to form a new Government with another group, he refused, he quit and said, As long as I cannot hold my people together, I will ot be the Chief Minister." And he resigned. In 1978 you went and dismissed elected Governments and you talk about the Assembly being convened now! At that time the Assembly was summoned to meet on the 3rd of January, '78. It was a Budget Session, it was a Joint Session, which had been summoned, one month in advance in Karnataka to meet on the 3rd of January. And Devuaj pleaded that you should wait at least till the Joint Session, till the Governor's Address was presented. But no; in the Governor's report—I have a copy of it—he says, "The Chief Minister has pleaded but I don't think it is necessary for me to wait because of the extraordinary circumstances. " —which only .he knew, he did not mention them in the report; he says —"I am recommending the dissolution of the Assembly", and we were thrown out bag and baggage. At that time Mr. Advani did no resign. He was the Minister of Information and Broadcasting. ..

SHRI A. G. KULKARNI: He was abo the Leader of the House.

SHRIMATI MARGARET ALVA: And day in and day out the media Justified the dismissal of not one, all the eight State elected Governments in the country by one stroke. Because Mr. Charan Singh decided that they had to go, everybody had to go. And today the same people are standing! here and telling us that we are murderers of democracy, that we have no constitutional propriety! What was Mr. Vaipavee doing in those days? He was Foreign Minister. Why did he not conscientiouslv object and quit? What was Mr. Advani doing? What were you aH doing in the country? Nobody taled about value based politics then. Nobody talked about it in the Home Ministry. *(Interruption).* He is a very sensible person. Please answer me afterward. Don't disturb a lady. What I am trying to say is here you are talking of horsetrading and value based politics. Here is your great new found leader, Mr. V. P. Singh...

SHRI SUBRAMANIAN SWAMY: Your export.

SHRIMATI MARGARET ALVA; My export and your import. Mr. Singh justifies the horsetrading indulged in , by the Janata Dal saying that the Congress-I also does the same thing. After all, he has to carry something with him and he jutifies it. You say it is wrong. The lader of the Opposition has been saying—Mr. Gurupadaswamy—this is totally wrong. But here is your...

SHRI M. S. GURUPADASWAMY: I will not defend it.

SHRIMATI MARGARET ALVA: He always has the knack of disturbing. My point is here is the leader Of the Janata Dal in the House who admits horsetrading and says it is wrong. I will not defend it. Here is his party president his recent find who tells the nation. I know horsetrad-'ng is going on there is nothing wron? in it, it happens . ali the time. Trr's is the value based pontics that your partv is trying to foUow. Your national president says, "What is wrong?"

SHRI A. G. KULKARNI It is value debased politics.

SHRIMATI MARGARET ALVA: You yourself do not know where you stand. Besides the constitutional propriety—I want to talk for a minute about what was happening in Kamataka—you will never see me. I am not in the habit of issuing press statements, unnecessarily getting involved in your <sontroversies in Karnataka, though I have had to talk on platforms right in Karnataka. When Mr. Hegde was in the US last year, when he was

attacking my Leader and my Prime Minister in the United Statea saying things about him, I was asked by the press what my reaction was. And," you know what my answer was to the Press? I said:. "Oura is a free and . democratic country and I will not use your country to fight our political battles. What I have to say about Mr. Hegde I will say at home, in his Own home territory, and I will not wash the dirty linen in your country. Our political battles will be fought at home." Here is our Chief Minister and he has gone as a representative of my country! And yet he used that opportunity to denigrate my Prime Minister wherever he went in the United States. The trouble was ..... *(Interruptions)...*

SHRI MOTURU HANUMANTHA RAO: Your Prime Minister condemned! the West Bengal Government.

SHRIMATI MARGARET ALVA: The trouble was that Mr. Hegde, with all his qualities—I am not challenging that; he may be a great leader. But my point is different—found that he had outgrown Karnataka, that he had to come to the national level, that he had to emerge as a national leader and a national hero.

SHRI SUBRAMANIAN SWAMY: Madam, you said, he has Outgrown Karnataka. He has outmilked.

SHRIMATI MARGARET ALVA: Outlived?

SHRI SUBRAMANIAN SWAMY: Outmilked.

SHRIMATI MARGARET ALVA; He might have outmilked and there is nothing left and that is a different question. My point is that, in fact, he has said—and it has been reported —"I am no longer interested in Karnataka. I have to go.". I do not have the exact figures, but figures were quoted. Out of the two thousand odd days that he was the Chief Minister...

SHRI SUBRAMANIAN SWAMY: Six hundred days.

SHRIMATI MARGARET ALVA: He was there only for six hundred days in Karnataka arid he attended the Vidhan Soudha, the Secretariat, for only 200 odd days. He was never there in the State and he had no time!

SHRI PARVATHANENI UPENDRA; What about the record of your Frime Minister?

SHRIMATI MARGARET ALVA: You produce the records and show. My point is, the whole administration had fallen apart. Madam, I am telling you, I was there this week. The TA DA of the police constables in the State have not been paid for the last ten months. The staff car driver told me that they have not got a single allowance in the last one year except their salaries. School teachers have come to me in delegations. Salaries of teachers have not been paid and the Government-aided schools have not got their grants for months. But what is even worse, Madam, is that old-age pension cheques for Rs. 65/- have bounced and one of my lawyer friends presented to me on Friday a bounced cheque for Rs. 80/-! It was a great shock. Never in the history Of Karnataka have treasury cheques bounced. This is the state to which ., you have brought the financial position of a .State, like Karnataka and you still talk about people being with you, you talk Of everybody being sorry -that you have gone. I am telling you that not a tear was shed. I was there when crackers were fired all over Bangalore when the Proclamation came and when the crackers were fired, it was not the Congress (I) Party members who did it. Why? Simoly because the rieoole had seen enough of this type Of horse-tradirig, of coming in and going out. One dav it is the Janata Partv. another dav it is the Janata Dal. One day it becomes the National Front and another dav it becomes the National i Affront and another day there is some-

[Shrimati Margaret Alva]

thing else, their leaders going and meeting one another and going to others' States and participating in something and saying, "We are doing this and we are doing that.", when the whole State has gone to ruin. Their own MLAs and their town Chief Minister have admitted that it was a mess.

Finally, Madam, let me read here the joint statement which was issued on behalf Of these 20 MLAs, again in the "Deccan Herald", when they withdrew their support, to the Press—this is nothing confidential and this is to the Press—and one of them, on behalf of those 20 MLAs, who addressed the Press, has said and I would like to quote the report;

"Giving reasons for their action, Mr. Molakeri aaid that in 1985, when the Cabinet was formed, the political situation was not as bad as it is now. But later, the then Chief Minister, Mr. Ramakrishna Hegde, started making empty promises to keep legislators in his grip and finish some partymen politically. Such practices were pursued with greater vigour after Mr. Bommai tools over as Chief Minister. In their hurry to declare the party as the Janata, Dal, Mr. Hegde and Mr. Bommai gave several assurances to the legislators The Cabinet was expanded, thrice in nine months in order to serve their selfish "

"He went on to tell the Press that Mr. Bommai has failed to constitute a Cabinet which could protect the Interests of the party, the Government and the people. The Government was assuming an anti-people character. The people were exoeriencing the consequences of an-emnty treasury and the administration had totally collapsed."

"There were indications of another expansion of the Cabinet to accommodate the unsatisfied sections."

the view of all these reasons, we have decided to withdraw our support..."

(Interruptions),

This is, again, not me; this was a Press Conference statement in Bangalore. *(Interruptions)* These are not my Members. Madam, this statement was signed by 20 of their MLAs, not by us. It was released by them to the Press, not by us. It was given to the Governor. It was given to the Press. And this is the report of the Press Conference. I am only saying that you may cry yourself hoarse. But I can tell you that in Karnataka, wherever you go, people are relieved that the situation has changed and that a real, sensible administration will be seen in the coming months. We are not saying that we want to run the government. Madam, let me tell you that when Mr. Ramakrishna Hegde resigned, when in the parliamentary elections you lost most of the seats, in spite of your being in power we won 24 and they could win only 4 seats and Mr. Ramakrishna Hegde, in keeping with his value-based politics at that time said 'I am resigning, I am going, instead of allowing him to go and we could have imposed President's rule, what did the Prime Minister say? He said: you continue as the caretaker government, we do not want to take over the government. He allowed them to continue. (Interruptions)

AN HON. MEMBER: He was still new! *(Interruptions)*

SHRIMATI MARGARET ALVA: am not in any race, Mr. Chandre Gowda. I leave the race all open to you. You have been a Minister there, you have been the Speaker there, you have been in the Opposition there and you have been everywhere. I have never been in State politics. I have never been in the Assembly there. Dont worry. I have got no pretensions about it. And this is all between you and: your local groups. I am not getting involved. But my point is that if we wanted to gcad

power, when Mr. Hegde resigned we would have asked you to go and taken over the administration and eaid: "we'll run it". We allowed you to stay as the caretaker government. When you resigned we said:" you carry on we are not going to interfere." *(Interruptions)*

AN HON. MEMBER: Normal practice. *(Interruptions)*

SHRIMATI MARGARET ALVA: No. You resigned. You could be asked to go. There was no advice from any one. *(Interruptions)* Don't teach me. I know.

My point is that at the moment it was imposed, horse-trading had gone on, people were coming and going, in Bangalore the people were talking about what was happening in the MLAs' hostel and what was to follow. Could simple, ordinary majority be tested in the House without this kind of horse-trading? In the atmosphere which was created it was a different question. It was not possible in the given circumstances, with letters being given, pressure being brought, money being given, letters being withdrawn, telegrams being sent that they were being pressurised and so on. When this was going on, the only thing that the Governor could do was to dissolve the Assembly. This was the only way out. I support the motion, Madam, and I welcome... (Interruptions') I am sorry. I support the Resolution moved by the Home Minister. I can say on behalf of the people of Karnataka that we are relieved and we are happy that this decision has at last come.

Thank you.

SHRI V. GOPALSAMY: Ttfadam, Deputv Chairman, I rise to support the motion moved by Mr. Guruoadaswamy and oppose the Resolution moved by the hon. Home Minister, Mr. Buta Singh. Hon. Minister, Madam, Margaret Alva made a very beautiful cpeech, *very* much suited for a political platform of Congress Party in Bangalore.

SHRIMATI MARGARET ALVA: We will go there.

SHRI V. GOPALSAMY: But the arguments, beautifully narrated with Press clippings, advanced by Madam Margaret Alva, could not justify the dismissal of the Karnataka Ministry because the action of the Union Government is nothing but an onslaught or an assault on democracy. Once again the Union Government has demonstrated its scant respect for constitutional propriety.

Madam, the rule of majority is the cardinal principle of democracy. The rule of majority is tested by the ballot. When a situation arises in a particular State and it has to be determined whether the Government holds the support of a majority of the legislators, the main principle, the cardinal principle, is that the rule of majority has to be tested. Where? By whom? This is the question. Mr- Gurupadaswamy and Mr. Advani raised this question. But no Member from the Treasury Benches could answer this question. It has been decided not only by the Sarkaria Commission report but also by the committee appointed by the then President, Mr. V. V. Giri. It is the floor of the Assembly which is the august forum where it has to be done. Therefore, here when the House was not prorogued, when the Assembly was in session and when the date of 27th of April was fixed, what compelled the Government to take this decision? M[r]- Bommai, the Chief Miinister, according to Mr. Gurupadaswamy, was prepared to convene the Assembly within 48 hours. Heavens would not have fallen. For what reason, did the Governor of the State dismiss the Government? He did it on the plea of preventine horse-trading. It is a very convenient stand. Hprse-trading. It is verv convenient. It becomes home-' coming as far as the dictionary of the Congress Partv is concerned. I feet sad that our hon. Home Minister ha* stated that the horses and donkeys are better than the politicians.

• THE MINISTER OF LABOUR ,(SHRI BINDESHWARI DUBEY): He said; "Those who offered themselves to be sold".

SHRI V. GOPALSAMY: He made such a remark. So, he is the present Bernard Shaw of this country. He has given a new definition to the politicians.

Madam, it is very clear that according to the Sarkaria Commission report, the Centre-State relations is a very sensitive issue. It is a very sensitive subject. If you want to uphold and to protect the unity and integrity of this great country, you have to protect the federal character of this country and the concept of federalism in this country. That is why it is a very sensitive subject. The Sarkaria Commission has stated and I quote:

'The Governor should not risk determining the issue of majority support on his own outside the Assembly. The prudent course for him would be to cause the rival claims to be tested on the floor of the House. Or if during the period when the Assembly remains prorogued, the Governor receives reliable evidence that the Council to Ministers has lost the majority, he should not, as a matter of constitutional propriety, dismiss the Council unless the Assembly has expressed on the floor of the House its want of confidence in it. And generally it will be reasonable to allow the Chief Minister a period of 30 days for the summoning of -the Assembly unless there is very . urgent business to be transacted such as passing the Budget in which . case a shorter period may be allow-, ed. In special cirumstances, the period may go up to 60 days."

So, it is very clelar that the Governor, could,have waited till the convening of the Assembly. If he lost the majority, if the test proved that they have Jost -the majority, then nobody is going to, question the decision,of the Governor. And this Article 356, a dreaded article, an article which has-been continuously misused by the Government at the Centre, whether, it is the Congress Government ot the Janata Government and whichever party sits on the saddle, an article which has been continuously misused to liquidate the spirit of democracy in this country, an article which has- become a guillotine to dismiss the State Governments, an article which has struck at the roots of democracy, as long as that article is present in the Constitution, the Government at the Centre, the Union Government is tempted to use that article. So, throw away that Damocles' sword. That article should be deleted from the Constitution, should be scrapped from the Constitution.

[The Vice-Chairman (Shri Jagesh Desai) in the Chair.]

Sir, even in the case of Nagaland, the Guwahati High Court observed that the powers under Article 356 could not be used for securing a good Government—Madam Margaret Alva advanced arguments about a good Government, about maladministration. But the Guwahati High Court has very categorically stated that the powers under Article 356 should not be used to secure a good~Government or for installing an alternative Government without enforcing the floor test in the Assembly.

THE ' VICE-CHAIRMAN (SHRT (JAGESH DESAI): Another few minutes You. have already taken ten minutes. The time allotted was only 5 minutes.

SHRI V. GOPALSAMY: Please Be liberal After a long time, I am speaking.

THE. VICE-CHAIRMAN (SHRI JAGESH DESAI): That is why I have given you ten minutes.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Sir, don't you know that he. is; Colombo-returned?

SHRI V. GOPALSAMY: Sir, I am not Colombo-returned; I *aim.* Eelam-retumed. *(Interruptifms)* Sir, according to the "Committee of ' Governors appointed by the then President Mr. V. V. Giri, what the Governors should do in such situations, I quote:

> Where the Governor is satisfied, by whatever process or means, that the Ministry no longer enjoys majority support, he should ask the Chief Minister to face the Assembly and prove his majority within the shortest possible time. If the Chief Minister shirks this primary responsibility and fails to comply, the Governor" would be duty bound to initiate steps to form an alternative Ministry. A Chief Minister's, refusal to test his strength on the floor of the Assembly can well be interpreted as *prima facie* proof of his no longer enjoying the confidence of the legislature."

Here, Sir, Mr. Bommai was very much prepared and he was telling that within 48 hours, he could convene the Assembly. That shows he enjoyed the majority.

Now, Sir I come to the role of Governors because in his Motion, Mr. Gurupadaswamy has moved that the Governor should be recalled. Sir, these Governors were appointed by the Imperial British to suppress the masses in those days. But we inherited this under the Government of India Act along with many other principles. In most of the western democracies there is no post of governors. Only in Canada, Australia and some Commonwealth countries the post of Governors is there. In I960 in Bihar Mr. Ananthasayanam Iyengar was the Governor. The Congress Party was ruling at the Centre. The Centre dictated the then Governor of Bihar. Mr. Ananthasayanam Iyengar to topple the United Front Government in Bihar. He refused to oblige; result he was recalled. Then he said, had I obliged the Centre, had I committed that mistake of toppling the United Front Government, I could have continued as a Governor for another 15 yeare. Therefore, Sir, these Governors have now become the agents of the Centre, at the beck and call of the Centre. So these agents dance to the tune of the Centre. I win. give a very fitting example. I will take only two or three minutes. In the year 1976, on the 13th January the Governor of Madras, the Tamil Nadu State, applauded the then Government as if the Government was fulfilling the dreams of Gandhi. This was on the 13th January. The very next day, within 24 hours, the Government of DMK was dismissed on a report sent by the same Governor. That sbows that whatever is dictated from Delhi, from Delhi Durbar, they have to oblige. That is why, Sir, a great personality in Indian politics, a person known as the great freedom fighter, Mr. J. B. Kripalani has said about the role of the Governors; These swaraj Governors occupy the same palaces that were occupied by their Imperial predecessors. Often these cover more than a quarter mile oi land in overcrowded cities. Gandhiji had said that under swaraj these palaces would be turned into hospitals for the poor. But they have been turned into rest houses for the old and weary and those rejected at the polls. As gentlemen and partymen, beholden to the Central leaders for their appointment, it has been but natural for the Swaraj Governors to re'gard themselves as the agents of the Centre rather than heads of the constituent units of the Indian Union, and look to New Delhi for aid and advice as and when confronted with a crisis, or to equate the interests of the State or the country with those of the Congress Party.

SHRI BUTA SINGH: May I remind you that in Tamil Nadu the Governor's House has been converted into a dispensary where all the injured MLAs are given dressing first and then heard?

SHRI V. GOPALSAMY: This is because Raj Bhavan has been converted into a place for conspiracy also.

SHRI BUTA SINGH: They are given dressing there.

SHRI V. GOPALSAMY: Therefore, Sir, the institution of Governors should be abolished. This is my demand. And article 356 should also be deleted. As long as that article is there, and the Governors are permitted to play this role, they will be behaving like the agents of the Centre, till their party comes to the power. Therefore, Sir, I strongly Condemn the action taken by the Central Government and I support the motion moved by Shri Gurupadaswamay. Thank you.

श्री सुरेन्द्रजीत सिंह अहलूवालिया : उपसभाध्यक्ष महोदय, विपक्ष के पूर्व वक्ताओं ने जनतन्त्र की हत्या की बात की है कि कर्नाटक में जनतंत्र की हत्या हुई है । मैं कहता हूं कि वाकई यह सच है कि कर्नाटक में जनतंत्र की हत्या हुई है और केन्द्रीय सरकार उस हत्या को या जिसकी हत्या हुई है जो विक्टिम है उसको एक डैथ सर्टिफिकेट सिर्फ दे सकती है और कुछ नहीं कर सकती है और हमने डैथ सर्टिफिकेट दिया है । हत्या तो उन्होंने उस वक्त कर डाली थी जिस वक्त कर्नाटक की जनता ने एक जनता पार्टी को वोट देकर जनता पार्टी को जिताया था, जनता पार्टी की सरकार बनाई थी जनता पार्टी की आइडियोलोजी पर आस्था रख कर उन पर विश्वास कर के उनको गद्दी पर पदासीन किया था परन्तु दुर्भाग्य इस बात का है कि इन्हें शायद वह अच्छे दिन अच्छे नहीं लग रहे थे और इनके दिल में दल दल में फंसने का शौक पैदा हुआ था और यह दल-दल में फंसने की कोशिश कर रहे थे और इन्होंने पहली फरवरी, 1989 को जनता दल कायम कर लिया और वह जनता सरकार जनता दल सरकार में परिवर्तित हो गई । उसका नेता कौन है ? जिनको झूठल समझ कर, कहीं पर भोज होता है तो लोग खाना खाते हैं तो किसी पत्तल में ज्यादा डाल दिया जाता है कि साहब दो रसगुल्ले और खा लो, दही भी खा लो, , मीट भी खा लो, मछली भी खा लो और जब वह नहीं खा सकता है तो पत्तल के साथ लपेट कर बाहर फैंक देता है, बाहर कुछ लोग खडे, रहते हैं उसको उठा कर ले जाते हैं और खाते हैं । तो यह कांग्रेस सरकार से, कांग्रेस पार्टी से जिनको पत्ते में लपेट कर बाहर फेंका जाता है वह उठा कर अपना सभापति बना देते हैं और उनको इन्होंने बना लिया है वह राष्ट्रीय जनता दल के सभापति नियुक्त हुए और वह जनता दल चला । अब जनता दल का इतिहास खोजें और इतिहास पढ़ें तब आपको पता लगेगा कि इसकी शुरूआत कब से हुई है । हमारे मुल्क में जनसंघ हुआ करता था स्वतंत्र पार्टी हुआ करती थी, बी० के० डी० हुआ करता था, एस० एस० पी० हुआ करती थी, लोक दल हुआ करता था, लोक दल (बी), (ए), (सी), (डी), (एक्स), (जैड) तक हुआ करते थे । वह सारे मिल कर के अब जनता दल बन गया है । उस जनता दल ने क्या क्या गुल खिलाए, यह पहली शुरूआत नहीं है । उपसभाध्यक्ष महोदय, उस दिन ठक्कर कमीशन पर चर्चा करते हुए मैंने बताया था कि कांग्रेस को हटाने के लिए जो चक्रान्त चले आ रहे हैं वह 1966 से शुरू हुए थे । मैं आपको यह भी बताना चाहता हूं कि उस चक्रान्त में विदेशी ताकतें लगी हुई थीं और जो हमारे मुल्क के लोग उसके साथ जुडे हुए थे उन्होंने 1967 से उसकी शुरूआत की थी । मैं बताना चाहता हूं कि मार्च, 1967 से ले कर मार्च, 1969 तक बिहार में पांच बार सरकारें बदली गई । तरह तरह के लोग सरकार बनाने चले आए । मिली जुली सरकार, आया राम गया राम की सरकार, जो भी आता था पलोर क्रास कर के सरकार बना लेता था । 1967 से ले कर 1969 तक बिहार में पांच बार, हरियाणा में चार बार, मध्य प्रदेश में तीन बार, पंजाब में चार बार, राजस्थान में दो बार, उत्तर प्रदेश में चार बार और पश्चिमी बंगाल में पांच बार सरकारें बदली गई और यह कांग्रेस के ऊपर पड़ा या किस के ऊपर पड़ा ?

of *Karnataka*

(व्यवधान) चित्त बसु जी, आप क्यों घबराते हैं । आपके वी० पी० सिंह ने कहा है कि नेक्स्ट इज आसाम । हो सकता है वह भविष्य ज्ञाता हों, हो सकता है वह ब्रह्म ज्ञानी हों, उन्होंने कह दिया, हो सकता है वह पूरा हो जाए । तो आप घबराते क्यों हैं ? उसको तो लोगों ने राज ऋषि कहा है । वह जो कहता है पूरा कर देता है, यह भी पूरा हो जाएगा, घबराने की क्या जरूरत है (व्यवधान)

श्री चित्त बसु (पश्चिमी बंगाल) : आपको बूटा सिंह ने बताया है (व्यवधान)

श्री सुरेन्द्रजीत सिंह अहलूवालिया। : मुझे बताने के लिए किसी की जरूरत नहीं पड़ती (व्यवधान)

श्री बूटा सिंह : मैं तो सिर्फ परोसता हूं करते तो आप हैं (व्यवधान)

श्री सुरेन्द्रजीत सिंह अहलूवालिया : यह सरकारें बदलना, आया राम गया राम की पद्धति को देख कर बड़ा अफसोस हुआ था लोगों को और सिर्फ इतना ही अफसोस नहीं हुआ आज इत्तेफाक की बात है कि जिस वैंकटसुबैया के खिलाफ यह आरोप लगा रहे हैं यह वही वैंकटसुबैया है जिन्होंने एक प्राइवेट मैम्बर रेजोल्यूशन भी पेश किया था लोकसभा में, और आल इण्डिया प्रिजाइडिंग आफिसर्स की एक कान्फ्रेंस हुई थी जिसमें आया राम गया राम की बात करते हुए एक रेजोल्यूशन पास किया गया था उसको मैं कोट करना चाहता हूं :

"The Conference expresses its concern on the situation obtaining in the entire country on account of frequent floor-crossing which in the opinion of the Conference is morally incorrect and has been recognised as such by certain defecting Members who sought re-election after resigning their seats and urges upon all political parties to understand its implications and dangerous potentiality and evolve a code of conduct which should be mutually acceptabia and morally binding.

The Lok Sabha discussed the matter at length on a non-official Resolution moved by Mr. Venkatasubbaiah of the Congress Party."

This was the Resolution.

"This House is of the opinion that a high-level committee consisting of representatives of political parties and Constitutional experts be set Up immediately by the Government to consider the problem of legislators changing their allegiance from one party to another and their frequent crossing of floor in all its aspects and make recommendations in this regard."

वे वही वैंकटसुबैया हैं... (व्यवधान) जो लोक सभा के मेम्बर थे कांग्रेस पार्टी के सेक्रेट्री थे और उन्होंने उस वक्त मोरेलिटी की बात की थी जिस पर ये आरोप लगा रहे हैं । पर मैं कहना चाहता हूं कि इससे पूर्व हमारे साथी हनुमनतप्पा जी ने कहा कि 20 लाख रुपया एक मारुति कार एक जमीन का प्लाट बंगलौर में और दस ट्रांसफर और साथ में बला बला कितनी चीजों की आफर आई... (व्यवधान)

SHRI V. NARAYANASAMY: And also the post of Chairman of Corporations.

श्री सुरेन्द्रजीत सिंह अहलूवालिया : यह जो एक कल्चर है जिस पार्टी का जन्म ऐसे विचारों से हुआ हो जिस पार्टी का जन्म ऐसी आइडियालाजी से हुआ हो जिस पार्टी के जन्म का खून ही ऐसा हो तो वह पार्टी क्या फल देगी ? जिसने पावर आफ डिफेक्शन, पोलिटिक्स आफ डिफेक्शन की बात की है जिसने पोलिटिक्स आफ डिफेक्शन पर बेस करके राजसत्ता संभालने की कोशिश की है उस पार्टी का भविष्य क्या हो सकता है । जिन 19 एम०एल०ए० ने डिफेक्ट किया

[श्री सुरेन्द्रजीत सिंह अहलूवालिया]

आज यह कहते हैं कि 12 ने चिट्ठी लिखी। पहले कहते हैं कि 19 के 19 आ गये थे, कुछ सदस्यों ने कहा कि 19 के 19 आ गये थे, कोई कहते हैं कि वे फिजिकली प्रेजेंट थे। अगर यही सब था तो कल 7 मेम्बरों को एक्सपेल क्यों किया ? क्या कसूर था उनका ? आगे देखने में आयेगा कि 12 के 12 को भी एक्सपेल किया गया। ये सारे के सारे 19 एक्सपेल होंगे। इसकी शुरुआत सिर्फ 1967 और 1969 से नहीं होती उसके बाद आगे बढ़िये। आप एक गमले में इमली, आम और आंवला के बीज मिलाकर लगा दें और हो सकता है कोई सोचे कि जो नयी घास निकेगी किसी बायो टेक्नालाजी के माध्यम से उसमें एक डाल में आम लगेगा दूसरी में लीची लगेगी और तीसरी में अमरूद लगेगा तो यह गलत भावना है। वे सारे के सारे बीज सड़ जायेंगे। कुछ नहीं लगेगा। अब इनके मिली जुली सरकार बनाने के कन्सेप्ट के सपने 1969 में टूटे तो ये इंदिराजी के पीछे पड़े और तरह तरह के मैनीपुलेशन करके इन्होंने 1970 में किसी तरह सत्ता को कायम कर लिया और सत्ता संभाल ली पर सत्ता संभालने के बाद क्या हुआ ? कांग्रेस के इतिहास में 1977 को छोड़कर कभी भी ऐसा नहीं हुआ कि कांग्रेस को 283 सीटों से कम मिली हों। कांग्रेस ने अकेले पार्टी रहकर 283 सीटें 1967 में ली थी और "जनता" द्वारा इतना जोर लगाने पर—आज वे लोग नहीं हैं उनका नाम मैं नहीं लेना चाहता हूं पर सारा जोर लगाने पर; सारी मशीनरी लगाने पर सारी विदेशी ताकतों को लगाने पर इन्हें सिर्फ 269 सीटें मिली थी और साथ में सी० एफ० डी० की सरकार को जोड़ना पड़ा था, सी०एफ० डी० पार्टी को 28 सीटों और अकाली पार्टी की 8 सीटों को लेकर ये 305 पर खड़े हुए थे और बड़े फख्र के साथ इन्होंने अपना प्रधान मंत्री बनाया था। इमरजेंसी के टाइम में 5 साल की मियाद को 6 साल कर दिया गया था, इन्होंने कहा नहीं इतने दिन हम सरकार चला ही नहीं सकते हैं 6 साल तो चला ही नहीं सकते हैं; इसको एक साल कम कीजिए, 5 साल पर कर दिया पर आगे देखा कि हम 5 साल भी नहीं चला सकते हैं तो ढाई साल चला लेंगे। ढाई साल तक भी ये केन्द्र सरकार नहीं चला सके। इसके पीछे क्या कारण था... (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Twenty-eight months.

SHRI BHUVNESH CHATURVEDI: Novice.

श्री सुरेन्द्रजीत सिंह अहलूवालिया : नोवाइस नहीं उसके पीछे जो कारण था वे पहले भी बता चुका हूं कि वे ज्योतिषियों के चक्कर में पड़े हुए मैं और उन ज्योतिषियों ने क्या कहा....

श्री मीर्जा इर्शादबेग (गुजरात) : स्वामियों में घिरे हुए थे।

श्री सुरेन्द्रजीत सिंह अहलूवालिया : एक ऐसा ज्योतिषी था जो चन्द्रशेखर जी के घर जाता था तो कहता था कि मेरे हिसाब से अगले प्रधान मंत्री का नाम "च" से शुरू होता है तो साहब आप ही हैं और एक कुंडली ले जाता था और कहता था कि मंडेन एस्ट्रोलोजी के थ्रू मैंने यह केलकुलेट किया है और वह खुश हो जाता था और दूसरे दरवाजे से वह चौधरी चरण सिंह जी को पकड़ता था। आज वह इस दुनियां में नहीं हैं उनको मैं याद कर रहा हूं। उनके यहां पहुंचता था और कहता था कि अगर दुनियां में कोई प्रधान मंत्री बन सकता है तो साहब मेरे दिमाग में तो "च" ही आ रहा है पर आपके नाम के सामने दो "च" लगे हुए है। आप की संभावना पूरी है, क्योंकि "च" स्कुअर हैं आप और उसमें हुआ यही कि 24-3-1977 को मोरारजी देसाई प्रधान मंत्री बने और 28-7-1979 को चौधरी चरण सिंह प्रधान मंत्री बने और उसके बाद अपना सफाया करके फिर नहीं देश के नागरिकों की तबाही इन्दिरा गांधी के हाथ में सौंप दिया क्योंकि सारी जनता ने यही कहा था कि—

आधी रोटी खायेंगे,
इन्दिरा गांधी लायेंगे ।

जनता तबाह हो चुकी थी, इनके नस-बंदियों के प्रचार से थक गई थी । कितने लोगों को इन्होंने प्रासिक्यूट किया उस नसबंदी के प्रचार में--कौनसा मीडिया था इनके पास ?

उपसभाध्यक्ष महोदय, यह बात बड़ी जल्दी भूल जाते हैं । इतिहास के पन्ने एक ऐसी चीज है जिनको फरोल कर देखना चाहिए । किसी को कुछ कहने के पहले जरा इतिहास को पढ़ना चाहिए कि हम पीछे क्या करके आए हैं और आगे क्या करना चाहते हैं ।

राजीव गांधी को 24 दिसम्बर को जब इलेक्शन हुआ, तो 31 दिसम्बर को उनके पास 413 एम०पी० थे । वह अगर चाहते, तो बहुत कुछ कर सकते थे, वह अगर चाहते तो अपोजीशन का नामो-निशान खत्म कर सकते थे । पर अपोजीशन को जिंदा रखना उसका काम था क्योंकि एक अच्छा शासन तभी चल सकता है । एक सशक्त अपोजीशन हो, हम भी चाहते हैं कि हो, लेकिन यह गैर-जिम्मेदार अपोजीशन है, भाग जाते हैं अपनी जिम्मेदारी को छोड़ कर ।

महोदय, अभी कुछ देर पहले हमारे अपोजीशन के लीडर, श्री गुरुपदस्वामी, लेडी मेकबैथ की बात कर रहे थे । मेकबैथ, ब्रुटस, सीजर, जुलियस की बातें करने वाले तो बहुत आयेंगे, पर कम से कम भारतीय संस्कृति को पोंछिये और सीखिये । इन्होंने होम मिनिस्टर से प्रश्न किया था कि साहब आप मेकबैथ को जानते हैं कि नहीं, नाम सुना है कि नहीं ?

श्री बुटा सिंह : मैं तो उस वक्त पैदा ही नहीं हुआ था ।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : तो कुलकर्णी जी ने जवाब दिया था कि वह लेडी को तो जानते हैं, पर मैकबैथ को नहीं जानते ।

पर मैं अगर यहां से पढ़ूं--यह 1977 की लोक सभा की स्पीचेज हैं, जिसमें चौधरी चरण सिंह ने एज ए होम मिनिस्टर, उन्होंने भी विदेशी ताकतों की बात की है कि इंग्लैंड में जब होता है, तो ऐसा होता है, फ्रांस में जब होता है, तो ऐसा होता है, जर्मनी में होता है तो ऐसा होता है, भारतीय कोई नजीर नहीं दिखाई, क्योंकि भारतीय संस्कृति से इन्हें कोई प्रेम नहीं है, भारतीय इतिहास से इन्हें कोई लेना-देना नहीं है । भारतीय इतिहास को दोहरा कर फ्यूचर जेनरेशन को कुछ देना नहीं चाहते । यह तो जब भी एक्जांपल देंगे, जब भी उदाहरण देंगे, तो यह विदेश की बातें करते हैं और उन्होंने भी यही कहा था ।

1977 को जब कांग्रेस रुल्ड स्टेट्स से सरकारों को डिजाल्व किया गया था, उस वक्त आपकी मोरेलिटी कहां थी ? सिर्फ 269 सीट्स लेकर इतनी गर्मी आ गई थी, इतना जोश आ गया था कि सारा हिंदुस्तान उन्हें नजर आने लगा था। उस वक्त हिटलर बन गये थे, सारी दुनिया को जर्मनी के रूप में देखना चाहते थे । तब आप सोचिये कि अगर 269 सीट्स लेकर इन्हें इतनी गर्मी आती है, तो राजीव गांधी को 413 सीटें लेकर कितनी गर्मी आनी चाहिए थी और आज भी रात को लोग तो सपने देखते हैं, जब वह सोने जाते हैं । पर मुझे पता नहीं था कि लोग चलते-फिरते भी सपने देखते हैं और कह रहे हैं कि हम राज करेंगे और राज करने की बात कर रहे हैं ।

उस वक्त इतना आंखों में पानी चढ़ गया था कि देवराज उर्स ने कहा कि मेरा बजट सेशन 3 जनवरी, 1978 को है, मुझे अपनी पोजीशन क्लियर करने दो। किसी ने कोई बात नहीं मानी और 31 दिसम्बर, 1977 को उसकी सरकार को ढाह दिया । किस मोरेलिटी की यह बात करते हैं ? मैं उसकी बात नहीं करता

[श्री सुरेन्द्रजीत सिंह अहलुवालिया]

मैंने आपको सिर्फ यही कहा है, महोदय, कि इन्होंने कहा कि गणतंत्र का खून किया है ।

मैंने कहा बखूब हुआ है । पर खूनी कौन है? खूनी जनता दल है जनता पार्टी है जिन्होंने खून किया है कर्नाटक की जनता का खून किया है । कर्नाटक की जनता की कल्पनाओं, आकांक्षाओं और सपनों को तोड़ा है ? जिन्होंने जनता पार्टी की सरकार दी थी और इन्होंने उनसे पूछे बगैर जनता पार्टी को जनता दल में परिवर्तित किया है । यह तो उस तरह की दुकान है, महोदय, जो छोटे-मोटे व्यापारी होते हैं वे रोज अपना साइन-बोर्ड बदल देते हैं सेल्ज टैक्स और इन्कम टैक्स से बचने के लिए और मलिक वही रहता है पता भी वही रहता है लेकिन साइन बोर्ड बदल जाता है लैटर हैड बदल जाता है और रसीद पर से नाम हट जाता है । यह वह काला बाजारी है जो इन्कम टैक्स को फांकी दे रही है, जो सेल्ज टैक्स को फांसी दे रहे हैं और यहां इस रूप में यह जनता को फांकी दे रहे हैं । जनता इन्हें चुन कर भेजती है कि हम आपको राज सौंप रहे हैं और उन्हें ये ऐसे धोखा देते हैं । महोदय, मैं दो मिनट लेते हुए अपना वक्तव्य समाप्त करूंगा । इतना ही नहीं, मैं अप्रैल का एक बाबा एस्ट्रोलोजी का एक विशेषांक पढ़ना चाहता हूं । यह बाबा एस्ट्रोलोजी क्या कहती है? इन्हीं की लिखाई हुई है जो सैन्ट्रल हाल में चक्कर मारती रहती है और लोगों को पढ़ाई जाती है । इसमें कहते हैं :

After elections, who will lite the Prime Minister? Today's *Times of India* carries the following two important news on its front page:

1. BJP to project Vajpayee as Prime Minister.

2. Elections in December, says Chidambaram.

उसके बाद बड़े फख्र से बाबा एस्ट्रोलोजी वाले लिखते हैं, 20 साल पहले जब अटल बिहारी वाजपेयी के बारे में कोई नहीं जानता था तब मैंने लिखा था कि वह मंत्री बनेगा और वह 1977 में मंत्री बना । वह सिर्फ अटल बिहारी वाजपेयी का हारोस्कोप डील नहीं करता है, आगे वह अर्द्ध-नारीश्वर एन० टी० रामाराव का भी हारोस्कोप पढ़ता है और कहता है कि इनके किस-किस घर में कौन-कौन से ग्रह बैठे हुए हैं और यह एक कान में बाली पहनें, साड़ी एक तरफ पहनें, आधा नारी का श्रृंगार करें, आधा पुरुष का करें और रात को कमरे में सोएं । ...(व्यवधान) इट इज आल रेलेवेंट, इट इज आल रेलेवेंट ।

यही नहीं वह अपनी इंपाला कार और रोल्ज रोइस कार को छोड़कर दिखाता है कि बछड़े के ऊपर बैलगाड़ी बनाकर और ऊपर चढ़ कर चलता है । जो राजर्षि है । सिर्फ यही नहीं, आगे वह राजा वी० पी० सिंह का भी हारोस्कोप पढ़ता है । राजा वी० पी० सिंह का भी लिखता है और लिख कर फिर कहते हैं कि साहब, राजीव गांधी का चाहे कन्या लग्न हो, चाहे कर्क हो और चाहे सिंह लग्न हो, वह प्रधान मंत्री इस मुल्क का नहीं बन सकता । बनेगा तो इन्हीं तीनों में बनेगा । महोदय, इस तरह का कुप्रचार चल रहा है।

इसलिए मैं फिर कहता हूं कि अगर इन्होंने खून किया है, अगर गणतंत्र के खून की बात कहते हैं तो मैं कहता हूं कि बखूब किया है, पर करने वाले हैं; हम लोगों ने तो सिर्फ डैथ-सर्टीफिकेट दिया है जो कि पहले देना चाहिए था । बड़ी देर कर दी हम लोगों ने देने में । धन्यवाद ।

SHRI SUBRAMANIAN SWAMY: Mr., Vice-Chairman, Sir, I as a member of the Janata Party am in a dilemma because I am sandwiched between two Congress Parties and neither of them can breathe fire on the moral plane on this issue *(Interruptions).* I am glad the realisation is dawning on you. But the fact of the matter is that aur party having considered the whole situation ——.and

we had big stakes in it as we had 27! MLAs and our party has an organisation in all parts of the State and I myself, over the last **two** months, have, gone to 18 of the 20 districts to attend meeting and address them — is of the view that there was **no** alternative for the governor but to dissolve and Assembly and call for fresh elections. Therefore, we here would support the Resolution **5.00** P.M.moved by Mr. Buta Singh and commend it for the acceptance of the House.

There is, no doubt, need for norms in situations like this, but I would say something about that , later. I really want to say what happened in Karnataka in the context of the developments that took place. It was only the Janata Party which could have made the difference between the Government not being possible and a stable Government being possible, because we had 27 MLAs. Had we extended support to the Janata Dal Government, no Governor, even Mr. Venkatasubbaiah— for whom I have great regard—would have had very little option. These very people praised him the other day when he upheld the Speaker's ruling that the mem- ! bers who left the Janata Part;/ do constitute the Janata Dal — I have got all the paper cuttings to show the paeans of praise that were showered on Mr. Venkatasubbaiah for resisting Mr. Veerendra Patil, not caring for his censure. The same (Mr. Venkatasubbaiah also would have had very little option if the Janata Party had decided to support the Janata **Dal** Government. But we were never asked fo'r support. At no stage did any discussion take place. There was Mr. Chandra Shekhar, who is a respected leader of the Janata Dal—about whom We have a high opinion in the Janata Party — who did speak to me, and thereafter it was suggested that there should be a formal request from the Janata Dal to the Janata Party, for which we took the precaution of asking for **an** appointment with the **President,** to **inform him in case such a formal request came. The Party's Central Parliamentary Board** was convened and Mr. Buta **Singh** was also informed by **me that such a** request may come and, therefore, he-should be prepared .that a stable Government would be possible. But no request came. In fact, the Janata Dal seems to be suffering from,**a** suicide complex; No one took this whole thing seriously. Their Parliamentary Board did not meet. They have a War Cabinet"—they call it the "Poli_ tical Affairs Committee"— of five or six people and that did not .meet. When I met Mr. Vishwa Nath Pratap Singh casually in the Central Hall, he took this whole thing as a joke. There was no 'recognition that a crisis was there. In fact, it appeared to us that the Janata Dal was not keen on continuing the Government because they had lost the will to rule, and the reason they did not ask us also was, perhaps, the fear that we may put some conditions on removing corruption that had become rampant during the Hegde . adminstration and the subsequent Bommai administration. So, perhaps, out of fear that these conditions would be put, .they decided to let the Government go rather than do anything else and they relied on horse-trading,. which is ultimately what happened.

You know, there can be no two opinions that horse-frading must have taken place. Nineteen withdrew their support to the Government. Then, 12 went back. Then, again two went back—all in a period of three .days. How is it possible for MLAs, after having been with the Government for almost five year—they were there for four and a half years—suddenly to write to the Governor, then again some of them withdrawing it, what does it mean? It means that, as the term of the Government was drawing to a close, some of the MLAs had become weak and they were open to horse-trading. But the price was also so high that very few peopla in this country would resist that kind

[Shri Subramanian Swamy]

of a' price. The going price was Rs- 20 lakhs. At one stage it had gone to Rs. 24 lakhs... *(Interruptions)*... This has clearly created a bazaar.

PROF. SOURENDRA BHATTACHARJEE: For the 19 or the 12?

SHRl SUBRAMANIAN SWAMY: Well, for all of them who were willing to reswitch and switch again. The question, therefore, was, once you allow this kind of a thing to go on, then,, even if you had waited, for the Assembly on the 27th after the 27th, on the 28th the problem would come again, on the 29th the problem would come again, every day this problem would come and the same MILs may beome crorepatis just by going from here to there jn a matter of one week. So, no Governor who wanted to insulate the State. from this disease of *aaya ram gaya ram,* could have kept quiet. The moment the Janata Party decided not to extend guppott to the Janata Dal, there was just no alternative, there was no possibility of a stable ^government being formed there. Therefore, what does one do in such a situation? The only answer is: go to the people and seek ,a fresh mandate. After all, it is the Janata! Dal which is a new party consisting of , all the Janata Party members, a good part of the Janata Party members. They had already practically exhausted their term. There were only six, seven, eight months left. The question is not one of mandate. would say that seeing this situation, if Mr. Bommai had any love for democracy and fo'r the polity and for value-based politics, then, instead of the Governor recommending dissolution, he himself should have recommended dissolution and be prepared to go to the public and face the electorate. But he did not do that. He continued to look for the MLAs and to buy them, and this is essentially why this problem arose.

Now why is the Janata Dal resisting going to the people or why are they fighting shy? I do not blanie them in one sense because they have (no confidence of the (pteople. Mr. Mishra who spoke, said that the entire public condemned this action .of the Governor. I would advise him to,go to Karnataka and see how much this decision of the Governor has been well received, and there are no two opinions about that. Now, the question is why the Janata Dal is afraid of the people.

First of all, Mr. Nijalingappa's statement should make them all wake up. Mr. Nijalingappa i s no Congress (I) man. He has stuck with us throughout from 1969. He was with us in the emergency. I can point out a large number of the Janata Dal i members who were nowhere with us during the emergency, in that difficult period, who were, in fact, amongst those who were persecuting us and sending tig to jail, who were amongst those who were suppressing the newspapers. Today they claim to be the Janata Dal members. But Mr. Nijalingappa's credentials, nobody can question. What did he say? He said that no tear can be shed for this Government, that it was a right deci- ; sion and that it should have been done along time ago, it should have been done a year ago.

Then the public meeting that was arranged on the 22nd of April by the entire National Front descending in Bangalore was such a poor show that you have just to see the photograph published in the "DECCAN HERALD" to make your own assessment. You don't have to rely on me. This is one of the poorest shows of any public meeting. It is not that they had not noticed it. The 22nd of April was, in fact, announced well in advance as a rally against the Thakkar Commission, which they converted into a rally against the Governor's action. It was a very Poor snow. Yesterday, the Raj Bhavan was to be gheraoed by the Janata Dal. They had to cancel it ten minutes

before the announced time because only a hundred persons turned up. We will see what the bandh will be like on the 27th. They have called for a bandh, it will be a complete flop. On the contrary, the Janata Party is organising a rally on the 8th of May. Let them all come and witness what a big rally that is going to be. I am not surprised because they do not have the people with them, and so, they do not want to go to the people.

When Mr. Bommai led a procession *to* the Raj Bhavan, 12 MLAs were segregated. One of their ex-Ministers, Mr. Raghupati came and told the Governor, "Why don't you meet the 12 MLAs separately?" So, the Governor said"I am ready to meet those 12 MLAs separately. But I will also meet ali the MLAs gathered here, and I will take a head count". There they resisted and said, "No. You must meet only those 12." Why? Because those 12 plus MLAs there were only 82. Already the strength had dwindled. Indeed, today for the number of MLAs who are leaving their party, one has to look at the Bangalore papers.

One of their most important Ministers, Mr. Rambhav Poddar, hag just joined the Janata Party. He has said, "I was misled. I did not know". He is a very honest man, a respected figure, was a Minister foe a number of years. Two days ago he has announced that he is joining our party because he did not know that the Janata Dal was such a fraud. So, consequently the question for them naturally is that facing the public will be a difficult task. I would gay if electons are held today, the contest is certainly going *to* be between the Janata Party and the Congress (I). The contest for the Janata Dal will be for third position with Maharashtra lEikikaran Samiti which can never win more than five seats in Karnataka. So, Janata Dal will have to win more than five seats to beat the Maharashtra Eikikaran Samiti for the third position in the Karnataka Assembly. I am quite confident that the elections will not give them any. They say they will come back to power. Well, they must do this brave talk, but with the lack of" fire I saw in their speeches, poor attendance from the Janata Dal ranks and the total lack of response, the whole party is paralysed today. They know that it is for them a passing show. There has been... *(Interruptians)* ...

SHRI K. G. MAHESWARAPPA: False statements you are giving. Were you there at the Raj Bhavan?

SHRI PARVATHANENI UPENDRA; He is exceeding the time limit. When we speak you don't allow.

? THE [VICE-CHAIRMAN (SHRI JAGESH DESAI); Do you mean he is irrelvant? Go ahead.

SHRI SUBRAMANIAN SWAMY: The decision of the Chairman cannot be questioned like this.

SHRI DIPEN GHOSH; I am not inclined to interrupt any speaker, but when... (Interruptions)...

THE V1|CE-CHAIRMAN (SHRI JAGESH DESAI); You may not agree-with him.

SHRI PARVATHANENI UPENDRA; Are you giving time from the-Congress Party?

THE /VICE-CHAIRMAN (SHRI JAGESH DESAI); Mr. Gopalsamy's time was five minutes and he spoke for fifteen minutes. So according to' the time I cannot go— (Intedrup*tions)*

PROP. C. LAKSHMANNA; There' are seven people.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); You please sit down. I know how to handle.

SHRI DIPEN GHOSH; I am on a point of order.

SHRI *SUBRAMANIAN* SWAMY: They don't want to hear the truth. They want to suppress what I want to say. *(Interruptions)*

SHRI DIPEN GHOSH: I am on a point of order. In the morning it was declared that this diseussion will last for four hours — one day.

THE VICE-CHAIRMAN (SHRT JAGESH DESAI): Should I now read the time-table for the Janata Party? shall I read it now? Mr. Advani, his time was eight minutes and he has spoken for 18 minutes.

SHRI PARVATHANENI UPENDRA; There were eight members.

PROF. C. LAKSHMANNA; Two minutes. How much will it go up to?

SHRI DIPEN GHOSH; If eight becomes eighteen, two can at best...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Others 6poke for seventeen minutes. There are four members. So, he bas also five minutes.

SHRI DIPEN GHOSH; I am on a point of order. I don't have any objection if anybody whether from this side or that side or from the middle is accommodated within the time allotted to the Treasury benches.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); If other party. Members have been accommodated, I will allow him also.

SHRI DIPEN GHOSH; He may be allotted time from Treasury benches, but on his own he cannot. At best he can be given two minutes.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); I am telling you Mr. Advani had eight minutes and be was given eighteen minutes.

SHRI DIPEN GHOSH: But Janata Party had two minutes.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): AH right, you go ahead.

SHRI SUBRAMANIAN SWAMY: Tbey must learn that in a democracy they must hear the unpleasant truth also. *(Interruptions).* Now go and ask the KGB. (Interruptions) Instead of going to the public...

THE VICE-CHAIRMAN (SHRl JAGESH DESAI); Now pleasr conclude.

SHRI SUBRAMANIAN SWAMY' Yes, I will take only two minutes. Instead of going to the public, the former Chief Minister, Mr. Bommai says he is going to the Supreme Court. Now what can the Supreme Court do? The Supreme Court can at best see whether the Governor's exercise was satisfactory. In a publication brought out by the Lok Sabha Secretariat on President's Rule, in States and Union Territories, the Supreme Court judgment on the Janata case in 1977 is very clear. It says and I quote: "The Supreme Court cannot interdicts use of powers under article 356 unless and until resort to that provision in a particular situation is shown to be so grossly perverse and unreasonable as to constitute a patent misuse of the provisions. This provision should be resorted to under the Constitution only when a critical situation arises." This is not a perverse situation. There was a clear loss of majority. After that there was a flux going on. The only possibility of forming a stable Government was if the Janata Party had agreed to support the Janata Dal which the Janata Party did npt decide to because we were not asked for support. We will not go with a begging bowl, "please take our support." Politics is not done in that way. We would have been happy to support that Government if they were ready to give us some assurances on fighting corruption in that State but they were not ready for that. So they did not come. Anyway the question is that they need not tell us about what the testing, oi the majority is. Have they disowned

'what they have done in the past? Banarsi Das Ministry in UP was dismissed when morte than 30 MPs were elected on the Lok Dal ticket in 1980 and the man who led the demand for the dismissal was Vishwanath Pratap Singh. He may have committed an error but is he willing to own up that he made a mistake? I seek an apology for it. Those who are not in a position to protect their glass houses should not throw stones.

In conclusion, the main problem is that norms can only be built if the morality exists as a sanction behind it. How can a party which has appointed Ram Lal as the Chairman of the Campaign Committee come and teach us morality? How can a party which has Arun Nehru as a member of the Parliamentary Board teach us morality? They totally lack morality and they are totally inept to face the people. They had come here to use the Parliament as a method of resurfecting their status. But unfortunately people have found them out. The only answer is early elections and, therefore, I support Mr. Buta Singh's Resolution.

श्री मीर्जा इर्शादबेग : मान्यवर उपसभाध्यक्ष जी, माननीय गृह मंत्री बूटा सिंह जी द्वारा प्रस्तुत रेजोलूशन का समर्थन करता हूं और गुरुपदस्वामी जी द्वारा प्रस्तुत मोशन का विरोध करते हुए मैं यह कहना चाहूंगा कि यह तो आइना है चाहे जिधर से देखो । जो जैसा है उसको वैसा ही नजर आयेगा । जो आपकी शक्ल सूरत है वही आप देख सकेंगे पर आप जो अपनी कुछ और सूरत देखना चाहते हैं वह आपको दिखाई नहीं देगी । आप उस पर मुखौटा लगाने की कोशिश कर रहे हैं। मुखौटा लगाकर अपनी सूरत को छिपाने की कोशिश कर रहे हैं । आइने में चेहरा तो वही है पर मुखौटा लगाकर चेहरा बदल रहे हैं । जब नकाब उठता है तभी पता लगता है कि सही सूरत क्या है और गलत सूरत क्या है ।

माननीय, ये भूतकाल को भूल गये । कांग्रेसी सरकारों को बर्खास्त करने के वक्त इनकी कोई आचार संहिता नहीं थी । कोई कानून नहीं था । कोई न्याय सम्बन्धी तर्क उनके पास नहीं था । सिर्फ एक राजकीय आचार संहिता इनके पास थी । तब आपने कांग्रेस की लोगों द्वारा चुनी हुई प्रदेश सरकारों को तोड़ा था । न हमारा कोई तोड़ने का प्रयास रहा और न हमने किसी को उकसाया । अभी आडवाणी जी क्रेडिबिलिटी की बात कर रहे थे । उन्होंने यह कहा था कि सरकार की क्रेडिबिलिटी लो हो गयी है । मैं उनसे पूछना चाहता हूं कि क्या हमारी पार्टी को छोड़ कर दूसरी पार्टी में लोग नहीं गये? क्रेडिबिलिटी अपोजिशन की क्या रही है वह आपने देखा ।

आपके चुने हुए लोगों ने अपनी पार्टी में से अपने नेता पर विश्वास को छोड़कर उन्होंने इस्तीफा दिया तो इस प्रकार की परिस्थिति का निर्माण कर्नाटक में हुआ । क्रेडिबिलिटी किस की खत्म हुई? आपने सच्चाई को देखा नहीं है । आज किस की क्रेडिबिलिटी खत्म हो रही है? अभी स्वामी जी कह रहे थे कि ठक्कर कमीशन के संबंध में कोई रैली करनी हो या किसी और संबंध में रैली करनी हो तो ये लोग सौ आदमी भी जमा नहीं कर सकते हैं । इसलिए किस की क्रेडिबिलिटी खत्म हो रही है? असल में आपने लोगों का विश्वास खो दिया है । मैं पूछना चाहता हूं कि क्या मेरी पार्टी के किसी व्यक्ति ने जाकर, आपके एम०एल०एज० से जाकर, यह कहा है कि आप इस्तीफा दो? उन्होंने इस्तीफा अपने आप दिया है । संविधान के स्वरूप के संबंध में बात हो रही थी? स्वामी जी ने बहुत पहले कहा था और यहां पर किसी ने उसको डिनाई भी नहीं किया । उनके पहले वाले मुख्य मंत्री थे तो क्या-क्या चार्जेज नहीं लगाये गये थे और वे चार्जेज आज भी मौजूद हैं । करप्शन के चार्जेज हैं, लैण्ड घोटाले की बात है, संबंधियों द्वारा विदेशों से पैसा आने की बात है । इन सब बातों के कारण अगर राज्य के लोगों

[श्री मीर्जि ईशिद्बेग]

का विश्वास उस सरकार पर से उठ गया तो इसमें किस की गलती है । लोगों ने जान लिया कि यह सरकार चल नहीं सकती है । इसमें व्यापक भ्रष्टाचार फैला हुआ है । इनकी पार्टी के लोगों ने अपनी आत्मा की आवाज उठाई और वे भ्रष्टाचार के विरुद्ध खड़े हो गये । गवर्नर के पास जाकर उन्होंने अपने सिगनेचर से इस्तीफा दिया । ऐसी स्थिति में जब सरकार अल्पमत में आ गई तो क्या गवर्नर का यह कर्त्तव्य नहीं था कि वे संविधान के मुताबिक काम नहीं करते? क्या गवर्नर को उनका बहुमत साबित करना था? जब गवर्नर को यह लगा कि यह सरकार अल्पमत में आ गई है, लोग भ्रष्टाचार के खिलाफ हैं और ऐसी अक्षम सरकार को बर्दाश्त नहीं करना चाहते हैं, इस भ्रष्ट सरकार के खिलाफ बगावत कर रहे हैं तो उन्होंने संविधान के मुताबिक कार्यवाही की है । उनकी पार्टी के लोगों ने उन पर जो विश्वास प्रकट किया था वह उन्होंने वापस ले लिया तो ऐसी स्थिति में गवर्नर के सामने संविधान को प्रस्थापित करने के अलावा क्या रास्ता रह गया था । कोई भी गवर्नर ऐसी स्थिति में किसी अल्पमत की सरकार को एक सेकेन्ड के लिए भी नहीं रख सकता है। इसलिए मैं गवर्नर को बधाई देना चाहता हूं कि उन्होंने लोकतंत्र को बचाने की कोशिश की है । वास्तव में लोकतंत्र की तो हत्या की है । आपको याद होगा, आप बार बार कहते रहते हैं कि आपकी सरकार अल्पमत में आ गई है । इसलिए अगर वहां पर अल्पमत में सरकार आ गई तो गवर्नर ने एक्शन लिया । कोई गलत सिगनेचर नहीं किये गये हैं । सही मायनों में ये वही लोग हैं जिन्होंने अपनी पार्टी में अविश्वास व्यक्त किया है । इसलिए यह कहना कि लोकतंत्र की हत्या हो गई, यह घड़ियाल के आंसू बहाना है । जैसे जैसे इलेक्शन नजदीक आते जाते हैं और लोगों का विश्वास विपक्ष पर से उठता जाता है तो विपक्ष के हमारे दोस्त इस तरह के हथकंडे अपनाने लगते हैं और गलत ढंग से लोकतंत्र के मूल्यों को पीछे धकेलने की कोशिश करते हैं ।

यहां पर पोलिटिकल विजडम की बात कही गई है। यह कहा गया कि देयर इज नो पोलिटिकल विजडम । पोलिटिकल विजडम मेरी पार्टी की और मेरे नेता की आपने देख ली हैं और आगे भी देखेंगे । इसी पोलिटिकल विजडम से हमारा देश इस जगह पर पहुंचा है और आज विश्व के फलक पर हमारे नेता और हमारे देश का नाम है । आपके हथकंडों के कारण आपकी सरकार गिरी है । आपकी क्रेडिबिलिटी खत्म होती जा रही है, इसलिए यह सब हो रहा है । आडवानी जी ने कहा कि आपने तो पेशेन्ट को ही मार दिया । लेकिन यह पेशेन्ट मार देने की बात नहीं है, रोग का निदान करने की बात है । जो व्यापक भ्रष्टाचार फैला हुआ था, जो एक अक्षम सरकार थी, उसके कारण लोगों में व्यापक असंतोष फैला हुआ था । जब गवर्नर को महसूस हुआ कि यह सरकर अल्पमत में आ गई तो तब ही उन्होंने यह कार्यवाही की । और उन्होंने पार्टी के लोगों का विश्वास खो दिया है, उस दिन सरकार ने उसको भंग करने की बात की । तो मैं कहना चाहता हूं कि रोग का निदान हम कर रहे हैं, रोगी को मारने की बात नहीं कर रहे हैं । रोगी को मारने की बात तो आप कर रहे हैं । संविधान में जो भी धारायें दी गई हैं, जो भी कानून हैं उनके अन्तर्गत वहां पर कदम लिये गये हैं और गवर्नर का यह सम्पूर्ण न्यायिक कदम है, एक सत्य कदम है और यह प्रजातांत्रिक मूल्यों की स्थापना करने की दिशा में लिया गया एक सक्षम और सही कदम है ।

मान्यवर, मैं अपनी बात को खत्म करते हुए कहना चाहता हूं कि क्या हमको समय देना चाहिए था? मान्यवर, कोई भी सरकार चाहे वह किसी पार्टी की हो, जैसे ही उसका अल्पमत साबित हो जाता है और वह बहुमत का विश्वास खो देती है तो ऐसी सरकार की अवधि बढाना क्या वहां पर भ्रष्टाचार को बढावा देना नहीं है? अभी मंत्री जी कह रही थीं कि 10 लाख, 20 लाख न जाने कितना कितना पैसा उनको दिया जा रहा था, इधर से उधर जाने के लिए । तो क्या ऐसी परिस्थिति का निर्माण करना उचित था? ऐसी परिस्थिति का निर्माण करके क्या किसी अस्तव्यस्त सरकार को बनाये रखना उचित है? मान्यवर, मैं आपके माध्यम से कहना चाहता हूं कि

हमारी सरकार आज भी इस बात पर अटूट विश्वास रखती है कि प्रजातांत्रिक मूल्यों की सदैव रक्षा हो । हम हमेशा इसमें विश्वास रखते हैं । प्रजातांत्रिक मूल्यों की बात करने वाले हम उन लोगों में से नहीं हैं जो बात कुछ करते हैं और जिनका आचरण कुछ और होता है । वे कभी कहते हैं हम संन्यास ले लेंगे लेकिन फिर दुबारा आ जाते हैं । कभी कहते हैं कि हम इस्तीफा दे देंगे लेकिन फिर लौट कर आ जाते हैं । कभी कहते हैं कि हम मुख्य मंत्री पद से इस्तीफा देते हैं और जब उनके खिलाफ हाईकोर्ट द्वारा स्ट्रिक्चर पास होता है तो दूसरे ही दिन उनकी पार्टी उनको फिर से प्रस्थापित कर लेती है । अवमूल्यों की राजनीति में हमारी पार्टी और हमारे नेता शामिल नहीं हैं । हमारा विश्वास राजनैतिक मूल्यों के आधार पर बना है । जो कांग्रेस की नीति है, जो कांग्रेस की, परम्परा है उस पर विश्वास रखते हुए हम यह चाहते हैं कि कर्नाटक में बहुत ही जल्दी एक ऐसी सरकार की प्रस्थापना हो जो लोगों के विश्वास का संपादन करती हो । और प्रजातांत्रिक मूल्यों को साथ लेकर चलें । हम चाहते हैं कि ऐसी सरकार कर्नाटक में जल्दी से जल्दी आये । मान्यवर, इस इच्छा के साथ माननीय बूटा सिंह जी द्वारा रखा गया जो यह रेजूलुशन है, मैं उसका समर्थन करता हूं ।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Thank you very much. Mr. J. S. Aurora. Seven minutes.

SARDAR JAGJIT SINGH AURORA (Punjab); Mr. Vice-Chairman, it is a great pity that the Central Government, while swearing by the Constitution, continues to flout it for .short-term gains. Not only the Sarkaria Commission Report has strongly recommended that the majority or the minority of a Government should br decided on the floor of the House. It was also the practice eariler on when the real Congress Party was in power and the present aberration had not set in. Many hon. Members of the Treasury Benches have claimed that the Ministry fell because of its internal contradictions. So, where was the hurry to give it a push? Why was the rush? Here, I would really like to read a part of the 'Tribune' editorial. It says:

The Governor of the State, "by killing a Government which is already exuding death scent Mr. P. Venkatasubbiah has earned the dubious distinction of making heroes out of those with feet of clay."

I have quoted this to say that even when the editor is not friendly towards them, he is still honest enough to say where the Government has gone wrong. I said this because we must look it, in this case, the Constitutional side and the political morality. These are the two facets which we must bear in mind. According to this, to my mind, by prompting the Governor to rush and dismiss this Government, the Centre has made a big blunder. I consider that unfortunately, in the last few years, the Government has become addicted to manipulation. And sometimes it manipulates even when it does not serve its own purpose. Does it realise that in the long run such shortcuts, when the established systems and norms are thrown to the wind, weaken the roots of democracy Parliamentary system? Heavens would not have fallen and the State administration would not have collapsed if the Governor had given a chance to the Chief Minister to prove his majority on the floor of the House. If the Governor was not satisfied or be could not wait till the 27th April, he could have asked the Chief Minister to do it earlier.

The second point is, why did he not refer the case of the 18 people who had decided to defect from the party to the Speaker? It would appear that the Governor was waiting for these letters to take effect. He was not ready to accept the retraction by the same MLAs, and he termed it horse-trading. Unfortunately the political atmosphere has been so vitiated by this Government's discriminatory action that political morality has become a permanent casualty.

[Sardar Jagjit Singh Aurora]

This Government has made a fetish of raising the bogey of destabilishing the country against the Opposition parties. In fact, by its action of destabilising the State Governments where Opposition parties are in power, it is responsible for causing much of the belligerence between the States and the Centre. Is it the best way of achieving mutual confidence and mutual cooperation? Let me he forthright and say that the present trouble and violence in the Punjab was begun primarily by the manner in which the Congress tried to resort to horse-trading to win over the members of the Opposition parties. This went on over a long period. Such tactics lead to frustration and unfortunate action and incidence. Why? Because, let us also be honest, not many people are able to resist temptation. I would like to appeal to the Government, if an appeal can have any effect and touch its unscrupulous heart, that by such unconstitutional and immoral actions it is not only destroying parliamentary democracy but is weakning the very roots of the country. The country about destabilisation of which this party is always so concerned. In fact, it is almost paranoid about it. If they were so sincere and So constitutional and if they adopt moral standards in politics which are necessary, I am sure this country will be able to weather through even your Government.

Before I conclude, I support the motion moved by Shri Gurupadaswamy and disapprove the proclamation issued by the President on the 21st April 1989. Thank you.

SHRI CHITTA BASU: Mr. Vice-Chairman, i rise to support the motion moved by Shri Gurupadaswamy and while supporting the motion I would certainly discuss some of the .relevant norms which must govern the conduct of Governors. Before that. I think the entire House was amused listening to the speech of Mr. Swamy *(Interruption)* You might not have been amused but I was certainly amused. Sir, it is clear—he has exopsed himself—that it is his collaboration with the Centre in its policies.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Not more than seven minutes.

SHRI CHITTA BASU; At least I should have that privilege of Mr. Swamy. But I know that I will not enjoy that privilege because I do not collaborate and I will not collaborate with them.

THE VICE-CHAIRMAN (SHRl JAGESH DESAI): I am talking about your party's time. That is all.

SHRI CHITTA BASU: Anyway, Mr. Swamy exposed himseif and I take pity on him and I wish well of the rump party which is called the Janata Party. It is clear that in Karnataka, that rump party, as claimed by Mr. Swamy has helped the Congress (I) in pulling down the elected Government- of a State.

Now, Sir; I feel that the Governor's report has violated a very basic and sound principle. Governors are not expected to issue sermons on morality. Governors are not expected by the Constitution, the Constitution does no enjoin upon the Governors, to preach value-based politics, good conduct of the politicians, good conduct of the Members of the Legislature. But it is the Constitutional obligation of the Governor to uphold the Constitution; nothing more, nothing less. But here I find that the report Of the Governor of Karnataka brings in some extraneous issues, brings in the question of morality-based politics, brings in something which is not at all relate to the provisions of the Constitution. As a matter of fact, this Governor's report has been tailored to suit the exigencies of the ruling party at the Centre.

Sir, this report is politically motivated. The report is a fraud on the Constitution. The Governor acted as

an open and pliant agent of the Congress (I) Party. It is nothing but a testament of the Governor's loyality to the Congress (I) Party with the aim Of being rehabilitated in the near future, I say this because it is this Governor, this honourable Governor, who refused to concede the demands of the Opposition in Karnataka to dismiss the Government when the Janata Dal was formed and it was reported that he also threatened to resign just to defend the Constitution and he was right. He was not the judge to decide as to how a party should function whether a party should be merged with another or not, whether a party should seek a new name or retain the Old name and so on. He was perfectly well within his Constitutional limits. He is not the judge, but it is the political party, it is the political process and it is the people who should judge. So, he did the right thing and the upheld the Constitution and did not satisfy the Congress (I) men there who wanted to dislodge this Government. But I think he subsequently repented and this report is nothing but, as I said earlier, a testament of loyalty of the Governor as a Congress (I) man to the Congress (I) Party with the aim Of being rehabilitated in the near future.

"So far as the entire "country is concerned and so far as the future of democracy is concerned, I feel that Mr. Buta Singh will agree with me if I say that he has started what you call the "Kill Democracy" operation in the ocuntry.

SHRI BUTA SINGH: As is done in West Bengal?

SHRT CHITTA BASU: It is "Operation Kill Democracy". You will be happy to kill democracy there. But democracy there is so strong that they can kill you here! (Interruptions I, know he will be happy to kill democracy' in West Bengal, but he will be. .. *(Interruptions).*

SHRI BUTA SINGH; Dada, you said that he had started. I thought you have started! *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): . He is Chitta! Chitta Basu *(Interruptions^,*

SHRI CHITTA BASU: Therefore, Sir, it is nothing but an Operation of murdering or killing democracy all over the country. The Congress Party does not know, and Mr. Buta Singh does not know, what they are playing with. They are playing with fire. Federalism is the basic fulcrum of Indian unity. If you disutrb the basic fulcrum, you are disturbing the unity Of the country. States are very much advanced. The State people have the right to elect their own Government. It is the State people alone who can remove a Government from power. Therefore, by this kind of report of the Governor the fundamentals of democracy, parliamentary democracy, have been violated. Therefore, the Governor of Karnataka requires to be censured. It is in the interest Of the country's unity, it is in the interest of democracy, that the conduct of the Governor of Karnataka be condemned, by a House which is the Council of States. That I would appeal. I cannot appeal to them because they are the killers. How can they... *{Interruptions)* .

Therefore, i support the motion moved by... (Interruptions) I have not yet finished.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Now you please conclude.

SHRI CHITTA BASU: Just wait. Why are you so impatient? Forgive me, Sir. I shall not gain your privilege, because I shall not join that side. I shall always be in a small party and minority.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI). But you are getting a major share. Don't worry.

SHRI CHITTA BASU: Now. I take section 356. I shall not read it out. Did Mr. Buta Singh go through the recommendation of the Sarkaria Commission? It says that article 356 should be used very sparingly—in extreme

[Shri Chitta Basu] cases and as a matter of last resort. Now, had the Governor no other alternative? was it the only last resort? I think the conduct of the Governor in Karnataka has violated three basic norms as enunciated by the Sarkaria Commission. You may take shelter that you have not accepted the Sarkaria Commission's report. But the principle underlying it is very much valuable in this case. Again the Sarkaria Commission suggested: A warning should be issued to the errant State in specific terms, that it is not carrying on the Government of the State in accordance with the Constitution. Before taking action under article 356, any explanation received from the State should be taken into account. *(.Time bell rings).*

Only two minutes more. Now, 1 quote from the Committee of Governors. I shall simply quote; it will take one minute only, I shall not explain. I quote;

> "Where the Governor is satisfied by whatever process or means that the Ministry no longer enjoys majority support, he should ask the Chief Minister to face the Assembly and prove his majority within the shortest possible time. If the Chief Minister shirks this primary responsibility and fails to comply, the Governor would be duty bound to initiate steps to form an alternative Ministry. A Chief Minister's refusa] to test his strength on the floor of the Assembly can well be interpreted as a *prima facie* proof of his loss of majority. If then an alternative Ministry can be formed which in the Governor's view is able to command a majority in the Assembly, he must dismiss the Ministry in power and instal an alternative Ministry."

I want to ask whethre any of these things has been done. Mr. Bommai did suggest convening the Assembly. The test of majority and minority should not come from the Governor's House or from Mr. Buta Singh's office or from this Parliament. It is the State Legislature and the State Legislature alone where the majority and minority issues can be taken up. This has been made absolutely clear by the Governor's Committee. The conduct of Karnataka's Governor flagrantly violates this norm. Then comes the question of alternative Ministry.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Please conclude. I will not allow you now. You have already taken 13 minutes.

SHRI CHITTA BASU: Now 1 come to the judicial pronouncements. I refer to the recent judgment of the Guwahati High Court in relation to the imposition of President's rule in Nagaland. Here it is stated that the powers under Article 356 would not be used for securing good government or for installing an alternative Government without enforcing the four-step test. Here Mr. Venkatsubbiah wants to make a government and unmake a government, wants to preach good politics and bad politics, value-based politics and immoral politics. This has nothing to do with the role of a Govfernor. Therefore, this Governor is to be censured and is to be condemned in the larger interests of parliamentary democracy, in the larger interests of cooperative relationship between the Union and the States and in the larger interests of the future of this country. Thank you.

श्री भुवनेश चतुर्वेदी (राजस्थान): माननीय उपसभाध्यक्ष जी, इस विषय पर काफी चर्चा हो गई है, लेकिन फिर भी मैं बहुत संक्षेप में अपनी बात कहना चाहूंगा। केवल 7-8 दिन की घटना पर हमें विचार करने की जरूरत नहीं है, हमको पिछले 7-8 साल की घटनाओं पर विचार करना है। जिस तरह से जनता पार्टी की सरकार का इतिहास बंगलौर में कर्नाटक की सरकार में रहा है वह देखना होगा और उसी जो 7-8 साल में जो उन्होंने भ्रष्टाचार और पाप और बदनीति दिखाई है उसी भार के हस्वरूप वह सरकार अपने आप गिरी

है, गवर्नर ने केवल उसका घोषणा मात्र की है। जिस तरह से हेगड़े साहब ने वेल्यू बेसड पोलिटिक्स की बात की और सपासर उनके हाई कोर्ट के फैसले ने उनको एक तरह से अनैतिक करार किया और उसके बावजूद राजनैतिक षडयंत्र करके वह बराबर सरकार में बने रहे, उसका साफ मतलब है कि उन्होंने 7-8 साल की जो पाप की कमाई, अनैतिक राजनीतिक कमाई और जो भ्रष्टाचार की कमाई की है उसी के वजन के फलस्वरूप यह सरकार गिरी है, बोम्मई सरकार गिरी है। उसका कारण केवल जनता पार्टी का आंतरिक कलह, कांग्रेस को या कांग्रेस की सरकार को इससे कोई मतलब नहीं है, केवल उनके आंतरिक कलह, आंतरिक दुश्मनी और राजनैतिक विद्वेष के कारण यह जनता पार्टी की सरकार कहिए या जनता दल की सरकार कहिए, वह अपने ही कर्मों के कारण, अपने ही विद्वेष के कारण, अपनी आपसी जलन के कारण यह सरकार का पतन हुआ है, गवर्नर ने तो केवल उसकी औपचारिक घोषणा की है। इसके अलावा हमारा इससे कोई सरोकार नहीं है आप गवर्नर की आलोचना करते हैं, हम आपसे निवेदन करना चाहते हैं कि आप गवर्नर से क्या चाहते हैं ? क्या माइनारिटी की सरकार को बेईमानी से चलाए जाने के लिए गवर्नर उनकी मदद करें ? या 10-15 एम.एल.एज. को 15-15 या 20-20 लाख रुपये देकर गवर्नर आपकी तरफ कर दे तो गवर्नर का यह बहुत तारीफ का काम होगा और गवर्नर की आप बहुत प्रशंसा करेंगे। लेकिन गवर्नर अगर राजनैतिक मूल्यों की स्थापना के लिए, केवल प्रजातांत्रिक मूल्यों की स्थापना के लिए यह कहता है कि आप अनैतिक हैं . . . । आप राजनीतिक हैं, आपको कोई अधिकार नहीं है शासन करने का। इसमें गवर्नर का क्या दोष है ? इसलिए आपको यह साफ समझ लेना चाहिए कि गवर्नर केवल उसका प्रतिनिधि नहीं है, जो राज्य में सरकार चला रहा है बल्कि गवर्नर केन्द्र का प्रतिनिधि है और प्रजातंत्र का प्रहरी है। इसलिए मैं कहूंगा कि गवर्नर की आलोचना करना अराजनैतिक है, अनैतिक है। गवर्नर आपके किसी भी पाप के लिए या किसी भी अराजनैतिक मूल्यों की स्थापना के लिए जिम्मेदार नहीं रह सकता।

महोदय, यह बहुत पुरानी बात नहीं है, यह केवल 1985 की बात है, जैसा हमारे एक साथी ने बताया, जब हेगड़े साहब के समय असेम्बली डिजोल्व हुई। उस समय हेगड़े साहब को कोई नैतिक या राजनीतिक अधिकार नहीं था कि वे बराबर सरकार में बने रहें, लेकिन इसी केन्द्रीय सरकार ने, राजीव गांधी के नेतृत्व वाली सरकार ने उस सरकार को बनाए रखा और यह देखा कि फिर से सरकार बनाएं, चलते रहने दें और खुद ये अपने ही आइने में अपना मुंह देखें। मैं पूछता हूं, क्या उस समय आपको राजनीतिक अधिकार था, क्या उस समय आपको नैतिक अधिकार था कि हेगड़े साहब की सरकार बनी रहती। लेकिन हमने उसको चलने दिया क्योंकि हम वेल्यूबेस्ड पोलिटिक्स की बात करते हैं, आपकी तरह नहीं कि वेल्यूबेस्ड पोलिटिक्स की बात तो करें और सरासर बेईमानी और अनैतिक काम करते रहें।

जैसा कि आपने कहा कि कई अखबारों ने उसका सपोर्ट किया। लेकिन एक अखबार ने, जो विधायकों का एक प्रतिनिधि मंडल गवर्नर से मिलने गया, जिसमें 12 एम.एल.एज. अलग से रखे गए और 80 अलग से रखे गए, उसको एक नेशनल डेली ने फ्यूनरल प्रोसेशन की संज्ञा दी है। आपने देखा होगा, पढ़ा होगा कि उसी हिंदुस्तान टाइम्स ने आपके उस जुलस को, जिसको आप कहते हैं कि हम गवर्नर के सामने अपनी शक्ति का परीक्षण करते हैं, उसको फ्यूनरल प्रोसेशन की संज्ञा दी है। अगर इस बात पर भी आपको शर्म नहीं आती है तो आगे क्या कहा जा सकता है।

महोदय, एक तरफ हेगड़े साहब कहते हैं कि हम एम.एल.एज. की परेड करना इम्मोरल मानते हैं, अपमानजनक मानते हैं। लेकिन वही हेगड़े साहब, गवर्नर हाउस में घुसने से शर्माते थे और बाहर खड़े-खड़े चौकीदारी करते थे कि किस आदमी

[श्री भुवनेश चतुर्वेदी]

ने कितना पैसा लिया है, क्या उसको रसीद दी है, क्या वसूली की जा रही है, गवर्नर के सामने वह कहता है कि नहीं कहता कि वह हमारे साथ है। आप किस वेल्यूबेस्ड पोलिटिक्स की बात करते हैं। आपने घोषणा की कि बोम्मई साहब एस० एल० एज० का प्रदर्शन नहीं करेंगे। फिर आपने उस जुलूस के साथ, जिसको 'हिंदुस्तान टाइम्स' ने फ्यूनरल प्रोसेशन कहा, पधारने की तकलीफ क्यों की? अगर की तो आपको ईमानदारी के साथ कह देना चाहिए था—हमारे पास 80 आदमी हैं, हम बहुमत में नहीं हैं, असेम्बली को डिजोल्व किया जाना चाहिए।

मैं कहना चाहूंगा, जिस तरह कर्नाटक की सरकार अपने ही वजन से आप गिर गई अगर कल आंध्र प्रदेश की सरकार भी आप अपने वजन से ही गिर जाय तो हमको दोष मत देना। इसलिए आप संभल कर चलिए क्योंकि डेमोक्रेसी का तकाजा है कि चालीस-चालीस मिनिस्टर एकदम बरखास्त नहीं किए जा सकते। आप देखकर चलिए कि कहीं आंध्र प्रदेश का भी वही हश्र न हो, जो कर्नाटक का हुआ है।

महोदय, इतना ही कहकर मैं अपनी बात समाप्त करता हूं। धन्यवाद।

PROF. SOURENDRA BHATTACHARJEE; Mr. Vice-Chairman, Sir, I rise to oppose the Motion moved by the Home Minister, Mr. Buta Singh and support the Motion moved by Shri M. S. Gurupadaswamy. Sir, it is from the nobn that the discussion is continuing, and the night is approaching. But there has been more or less the repetition of the game argument.

Sir, at the outset, I would like to clear my party!s position and perhaps, the position of the Leftist parties in general that we are opposed to thee institution of Governors. As it is, we are opposed to what is described as President's Rule under Article 356 or any other clause of the Constitution. Therefore, out Of that very principle, I oppose the President's proclamation. It is a virtual suspension pf a large section of the Constitution in the State. If you kindly go through the President's proclamation, you will see that about 40 clauses of the Constitution are suspended in respect of the State's rights, and there are various encroachments on the rights of the States which, may Very well lead to divisive interests. These are violations of the rights Of States. So far as the instant case is concerned, I am firmly of the opinion that because the Governor of Karnataka, our good old friend, Mr. Venkatasubbaiah, who piloted many cases of imposition of the President's rule in the States as the Minister of State here, was not very imaginative when he presented the President with a report, which coming from a schoolchild would have qualified, him for a pen. I do not know with what perspective the report was written. You would find that it was mentioned, there were the dissensions, which became open in the elections to the Legislative Council and the Rajya Sabha. There were serious dissensions in the Janata Party, one led by Shri Deve Gowda, and another led by Shri R. K. Hegde. Number one, dissensions cannot be led. Groups might be led and even when Mr, Hegde was the Chief Minister, he was relegated to the second position and Mr. Deve Gowda was given the first position, regarding the Ministry formed by Mr. Bommai. In one place it has been writen that after his appointment as the Chief Minister, he had appointed 12 Ministers. Then at another place this 12 has been repeated with two other additions. I first thought that it was for the benefit of the President, so that the addition could be simpler. But then I found that the addition was also made by him. Then for what these things were done? i am sure that the Governor was sure of the majoritv of Mr. Bommai and therefore he hurried to make the recommendation for the imposition of the President's rule by dismissing the Ministry and dissolving

the Assembly. He had no way to impose a Ministry of the ruling party at the Centre in Karnataka at the present moment. Therefore he said that there was no prospect of a...'

THE VICE-CHAIRMAN (SHRl JAGESH DESAI); Please conclude now.

PROF. SOURENDRA BHATTA-CHARJEE: Just two or three minutes more. If the Governors present this type of a report, then what credibility can the executive have?

There is another point. There is one more point. Letters signed by 19 members of the 6.00 p.m. Legislative Assembly were submitted to the Governor. Why? Governor is not the proper person to receive such letters. It is the Speaker. If the MLAs committed a mistake, it was the responsibility of the Governor, who could not verify the signatures, to send back the letters to the Speaker for necessary action. But why was this course adopted? It was because if those letters went to the Speaker, he might invoke the anti-defectiOn law as by announcing that they were withdrawing support to the Bommai Ministry, they attracted the provisions of the anti-defection law. In order to bypass that thing, the Governor took into his lap these letters from the 19 MLAs. Now, the question of value-based politics has repeatedly come up. I have been in this House for more than seven years and these seven years have been a momentous period in our national history also. But nne thine amazed me very much how the crossing of floor was the easiest thing to many Members. Ouest'on of debating politics has been raised by many who themselves had crossed the floor The trouble is, our rulvncr nartv at the Centre, which was resnonsibio for imnosing emergency on the countcy which corrunted the whole svstem from ton to bottom, leaving no grace in the nolitcal life of the coun--try, are now bewailing. If this bewailing had been sincere, it might have received support. But there is nothing sincere in their protestations which are only empty. They consider it from the angle of their partisan interest. It has been openly said in the press that Mr. Simaran Singh Mann who is alleged to have conspired to assassinate Mrs. Gandhi, was approached till December 1988 by the rulers at the Centre for some accommodation. If this thing appears without any contradiction, that will be the end of any credibility of this Government. This action is a reflection of the lack of total credibility. They cannot take it for granted that because they have survived, they will survive for ever. The doom's day is before them and let them be prepared for it. Thank you.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Mr. Anand Sharma.

SHRI GHULAM RASOOL MATTO: Is the reply today or tomorrow?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Reply will be tomorrow; discussion will be over today. There are two or three speakers more.

SHRI ANAND SHARMA: Mr. Vice-Chairman, I rise here to support the resolution moved by the Home Minister regarding imposition of President's rule in Karnataka.

[The Vice-Chairman (Shri H. Hanumanthappa) in the Chair).

Sir, there have been two shades of opinion as to what is the central issue in this particular case; whether the central issue is the report of the Governor in recommending the imposition of President's Rule or the central issue is the despicable behaviour of the members of the erstwhile Janata Dal Government and its lead-

[Shri Anand Sharma]

ers, the degradation of politics in the province of Karnataka and the open sale and pudchase of legislators. To my mind, this is the central issue and this is the real issue today.

The allegations of destabilisation against the Centre and against the Governor following his recommendation are most misplaced, unwarranted and contrary to facts. Those who closed their eyes to what waa happening in Karnataka, to the murky depths to which politics had sunk there, which unmoved them, are the ones today who are making this hue and cry. Suddenly, they have woken up and I do not blame them. For them, in the Opposition, who claim to have come up with a magic solution, with a new alternative, with a new Messiah, their incoherence, their lack of direction and their inherent contradictions had created a situation wherein they found themselves sinking and issues like this are just the last straws for a drowning alternative which proved to be a still-born child.

The Governor's report is being discussed. I think the Governor is not a mere Constitutional figure. It is not an ornamental office. The Governor has very important Constitutional obligations. Mr. Advani was saying that the only course open to the Governor in such a situation was to allow a trial of strength in the Assembly. But he was contradicting the actions of his own Government. I agree that it was a desirable course. But it is not the only course left open to a Governor who is witness to a virtual destruction of political morality. The Governor cannot be a silent spectator when a Government is reduced to a minority. In this ease, the Government was not only reduced to a minority but the fact that it was reduced to a minority was very obvious. Nobody has denied the fact that the Government was reduced to a minority. When friends on the other side ask as to why did not the Governor wait till the 27th, it is only a cover-up; it is just a smoke-screen to cover up their own misdeeds and their true character. The earlier case was referred to by Mrs. Alva and others. In 1977, the Government of Mr. Devraj Urs was dismissed. The Assembly was convened for the 3rd oi! January, 1978. But it was said that it was not possible to hold the Session. This was the Governor's statement. He said that it was not possible to hold the Session of the Assembly because he feared violence and unruly behaviour. What was the guarantee in this "case where open purchase was going on? The hostility between Mr. Deve Gowda and Mr. Hegde and the intrigues of Mr. Hegde against Mr. Bommai were so transparent. The Governor, whether there is a specific Constitutional provision or not, had certainly the responsibility and the moral duty to ensure that certain principles are followed and politics is not allowed to degenrate to such a level where people feel nothing but he cynical about political institutions imperilling Parliamentary democracy by which we all swear.

I would just like to refer to what was happening in Karnataka. Of course, the Janata Party won a majority in 1985. Mr. Hegde became the Chief Minister. But instead of attending to the affairs of Karnataka, he was too busy starring at the spurious Opposition cocktail at the Centre, hobnobbing with people of all shades and character and jumping from one political bed to another. This, in fact, created a situation where people in his own party started opposing him. He became too large for his boots particularly for Mr. Chandra Shekhar and other leaders of his party. And the opposition started initially in the form of Mr. Deve Gowda's opposition to his leadership, his style of functioning. Mrs. Alya had referred that out of 2003 days for more than 1400 days he stayed out of Karnataka. What a Chief Minister? And unfortunately similar was the case with the last Chief Minister also.

They were too busy politicking at the national level, ignoring, the people of Karnataka, the interest of Karnataka. There was rampant corruption, nepotism during the rule of that party in Karnataka. Can anybody deny that? Here is a Chief Minister who was in dieted by the High Court not on one count but on several counts, liquor scandals, open corruption and he continued in office unabashed. That party which teaches political morality, that party which talks of a value-based politics condones those sins, those crimes being committed in Karnataka. And, Sir, what happened? He did not move out of office on his own free will. His party leader, Mr. Vishwanath Pratap Singh, who is the Biggest renigade in politics, did not take a decision. He had to go out | when he was caught pants down,, bugging the telephones of his own party people.

AN HON. MEMBER; Even the telephone of Mr. Gurupadaswamy.

SHRI ANAND SHARMA: Yes. *(Interruptions).* When we are discussing this, we must not forget what actually was happening.

SHRI SUBRAMANIAN SWAMY: Even Gurupadaswamy's telephone was tapped.

SHRI ANAND SHARMA: And Mr. Gurupadaswamy now is moving a motion opposing the Resolution. He should have been the first man to welcome the Resolution if he believed in value-based politics. (Interruptions). I have talked about dismissal You were not attentive. What I want to say is, who were the women whose r telephones were tapped? I can imagine Mr. Hegde tapping the telephone of Mr. Gurupadaswamy but what about those women, what is their identity? I would like to know from the Home Minister the identity of those women whose telephone was tapped. And what was your political justification? So, he bowed out of After that also he did not learn any lesson. He went for back seat driving. He thought Bommai would be a convenient front and I will keep on ruling by remote control. Bommai started asserting his independence and more and niore scandals came to the fore. Sir, it was at that time that Mr. Hegde became panicky because this entire edifice of so-called alternative was collapsing everywhere and I feel that Mr. Hegde also had a grouse based on, maybe, suspicion against Mr. Bommai and his Government, that Mr. Bommai was leaking some of the documents pertaining to the land scandal which finally reached Mr. Subramanian Swamy. And who were the MLAs who were instrumental in doing all this? People like Dr. Devraj Alva and others, Mr. Namdar and others, close associates of Mr. Hegde. So, Mr. Hegde himself, in other words, was instrumental. If you should be cursing somebody, you should be cursing yourself, you should be cursing Mr. Hegde, your infighting, your unscrupulous behaviour and your low political morals. I will only say, it is not only the people of Karnataka, as Mr. Swamy said, who are very happy, I think the people of this entire country should feel relieved and be very happy because of the exposure of this spurious political cocktail. What they are saying is a • fraud on the Constitution is, in fact, protection of the Constitution. A fraud was being committed on the people of this country. The first fraud was in 1977 when the Janata party came to power. It was again a repetition of the same behaviour, infighting, mud raking and giving a goodbye to political morals. Sir, we are very happy that at this juncture this so-called alternative, its true character and true colour, stands fully exposed, so that the people are not misled and led up the garden path by those who, I may say again, have never had any concern for value-based politics, who are political turncoats, individuals of treacherous character **and** known opportunists.

[Shri Anand Sharma]

With these words, I support the Resolution moved by the Home Minister and oppose the Motion moved by Mr. Gurupadaswamy.

DR. NAGEN SAIKIA (Assam): Mr. Vice-Chairman, Sir, I have stood up to oppose the Motion moved by Shri Buta Singh, the hon'ble Home Minister, and support the Motion moved by Shri Gurupadaswamy. I have given a notice to speak in Assamese and I think as "the system of interpretation is there, there will Tbe no difficulty for the Home Minister to . get my points.

*Sir, I rise to oppose the Resolution moved by Shri Buta Singh, the honourable Home Minister, and support the motion moved by Shri M. S. Gurupadaswamy.

By imposing the President's Rule in Karnataka the Governor has brought an untimely death to democracy, democratic system and a democratically elected Government in that State. It is very unfortunate for the democratic system of our country. In a way, so to say it is like 'murder in the cathedral.' The Bommai Ministry was a democratically elected Government. If there was any dissension within the Government it was the responsibility of Mr. Bommai to solve it. And that was why, at the behest of the Speaker, he was ready to test his majority on the floor of the Assembly on the 27th of April. In such a situation, when the Chief Minister himself was ready to show the strength of his majority, the Governor dissolved the Bommai Government under Article 356 of the Constitution. This, is highly unfortunate for the entire country. When twelve of the dissident M.L.A.s went to see the Governor to inform him about their support to Mr. Bommai. the Governor refused to meet them. That shows the nartisan attitude of the Governor. At that time the Assembly was not prorogued. And the Parliament was also in Session. Before issuing the Proclamation if the recommendations of the Governor had been presented before the Parliament and a decision taken on the advice of this august body, we could have said that the action against the Karnataka Government had been taken democratically. But, instead of that the Bommai Ministry has been dismissed in an absolutely undemocratic and authoritarian way with a political motive. We remember that the Congress (I) Government at the Centre had imposed President's Rule in the Nagaland and Mizoram in the interest of their party. Now, just before the general election, they are clearing their way in Karnataka by imposing President's Rule in that State. We apprehend that the Congress (I) Government will make such attempts to topple the Governments in aH the Opposition-run States. That will be a demise of democracy. We are apprehensive that the Home Ministry will conspire against Assam also. A group of Bodo extremists is already being incited against the Government of Assam. The Home Minister is allegdly involved in such activities. It is also alleged that a favourite IPS officer of Mr. Santosh Mohan Dev has been transferred from Shilong to Siliguri to keep the Bodo extremist leaders there under his protection. Extremists from Congress (I)-rules Nagaland are killing people indiscriminately in Assam-Nagaland border We suspect that there can be similar attacks On the Assam-Arunchal bolder from Congress (I)-ruled Arunachal Pradesh.

The entire nation now apprehends that the Congress (I) Party is conspiring to create instability in the Oonosition-run States to topple their elected Governments. So. the role plaved bv the Governor in Karnataka is undoubtedly the role of an agent of the Central Government.

T. therefore, oppose the Resolution moved by the Honourable Home Min-

English translation of the original speech delivered in Assamese.

ister, Shri Buta Singh. While supporting the motion moved by Shri Gurupadaswamy I strongly censure the action of the Karnataka Governor and demand that he be recalled forthwith.

Thank you.

SHRI GHULAM RASOOL. MATTO: Mr. Vice-Chairman, Sir, I thank you for giving me an opportunity—to minutes—to speak on this subject. While speaking on this subject, I recall what had happened in Kashmir in 1984 when the arch conspirator, Arun Nehru, dismissed the then Farooq Abdullah Government. He was a Minister of State at that time, in charge of the States... *(.Interruptions)* ... At that time he was the person in charge of the States. Assignments are given to different Ministers at particular points of time and at that point of time that assignment was given to him. At that particular point of time, the Farooq Abdullah Ministry was dismissed. It was stated that 13 people had defected from it. Now, what did Arun Nehru do at that time? With only 13 people, with G. M. Shah as the Chief Minister, they formed a Ministry there. Now, all the 13 people were made full Cabinet Ministers. Five of them were illiterate people—they could only sign their name in the vernacular. Otherwise they were given the full Cabinet rank. Support was given by the Congress from outside.

Tbe situation now is different. The situation now is that the present Government, with Sardar Buta Singh as the Home Minister, has- done one salient thing. He has not kept the Assembly in animated suspension. He has dissolved the Assembly. nd what is the result of the dissolution of the Assembly? The result is that it is open for the ruling party, the Congress, and the Janata Dal to seek the mandate of the people. The people will be given an opportunity soon. I must say now, without any fear of contradiction that thie is what I we were asking for in Kashmir at that particular point of time. We said at that time that even if you dismiss the Farooq Abdullah Government, do it, but dissolve the Assembly at the same time and have Governor's rule so that elections are held immediately. That thing has been done in this case and an opportunity has been given both to the Janata Dal and the ruling party and the people of Karnataka to choose the Government they like.

The second point that I would like to make is with regard to what Mr. Lal Krishan Advani has said. I would only request the hon. Home Minister that an immediate decision should be taken with regard to the recommendations of the Sarkaria Commission particularly on this point. It is a fact that the best forum for knowing whether a government enjoys the majority support or does not enjoy the majority support, is the Assembly, and the Assembly must be convened within a maximum of 72 hours to four days so that it can prove the majority. I would request the hon. Minister that before the elections a decision on the Sarkaria Commission's recommendations should be taken. If a decision is taken on the Sarkaria Commission's recommendations at least on this point, it will be very good.

These are my observations.

Thank you.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Last speaker, Mr. Chandre Gowda.

SHRl D- B. CHANDRE GOWDA : Thank you very much, Mr. Vice-Chairman, for having given me the opportunity to place my views on record. I do not want to go into the niceties of the Constitution or into article 356 o$_r$ into the complexities of the Anti-Defection Bill.

[Shri D. B. Chandra Gowda]

I would only say with all the restraint at my command that a political Governor sends a serviceable report which is accepted by the Central Government without going into the details or the merits of the case. Many extraneoug things have been said here. Given an opportunity, I would certainly like to meet all of them.

The firgt point is, even if it is a fact that 19 MLAs signed this so-called letter and submitted it to the Governor, we should not forget the fact that only one °f them, Mr. Mankeri, took all these papers to the Governor. This man was planted by the Janata Party in the Janata Dal for some time. He was an arch rival of Mr. Ramakrishna Hegde and Mr. Bommai. Later on for some time he joined the Janata Dal for achieving his own political ends. This dubious character takes the letter to the Governor. What does the Governor do? The Governor does not verify the signatures. I do not say that the Legislature Secretary is not the competent authority. I do say that it is the competent authority. But let us not forget the fact thar the Legislature Secretariat does not have handwriting experts. Yet, he accepted. But there are two things which the Governor should have taken notice of. One is the genuineness of the signatures and the other is the genuineness of the contents of the letter, what they said, whether they signed it with extraneous pressure or somebody's hand was there or they did it on their own. My information is that the Janata Party leader gave an assurance to all these 19 MLAs to the. effect that with the iactive co-operation and help of the Congress Party he was going to form a government and they believed it. Therefore, so much of horse trading is being talked about. Who is the real man behind the horse trading? It is none other than the Janata Party leader, so-called, Mr. Deve Gowda.

SHRI BUTA SINGH; He is Mr.. Deve Gowda. He is not Bo-ealled Mr. Deve Gowda.

SHRI D. B. CHANDRE GOWDA: He is the so-called leader of the Janata Party, Mr. Deve Gowda, I said.

Mr. Subramanian Swamy said, that we did not ask for his support. Why should we ask for the support of this* These are the people who masterminded all these defections. The Janata Party leaders earlier, neither in the October 11 conference in Bangalore, nor in the Foundation conference in Bangalore nor in the Pl nary session in Delhi on the 18th or November, did say a word. Ultimately they declared themselves as the Janata Party. He wanted to take up the cudgels. He tried his best to become a leader, but he could not. Therefore, he tried to get the full support of the Congress Party. And with their active connivance he tried to destabilise the Government. With this background the Governor of Karnataka should have taken note of these facts and verified the contents of the papers. The hon. Member of this House, Mr. Salve, who is not here at the moment, said that nobody had withdrawn. I would like to go on record that one MLA from Bijapur district, one Mr. Babu Reddy Tungal, has issued a Press statement to the effect that he was touring in his constituency in the remote village. He did not know what was happening at Bangalore. When he noticed ,all these developments, he came back rushing and found, to his surprise that the so-called letter signed by him was submitted to the Governor.

SHRI M. M. JACOB: That justifies the fact that the Dal was in shambles.

Expunged as ordered by the Chair.

SHRI D. B. CHANDRE GOWDA: No, it was not in shambles. Then he goes to thePress and says that he had in confidence given a blank letter signed to Mr. Deve Gowda which he dubiously used without his knowledge. And without verifying ■uch things the Governor had accepted it. This is one aspect of the case.

Secondly, when 13 people came back, Mr. Subramanian Swamy aitting here made a castigating remark to the effect that the Governor wanted to see all the 82 MLAs. I was also a party when we went to the Governor's House. We were 111 MLAs when we met the Governor on the 21st. We physically presented ourselves and showed ourselves to him. He said that he had taken notice of our presence there. He said it. In fact, I am a party to it. He said he had taken notice of 112 MLAs. Along with us there were CPM, CPI and BJP MLAs too. The governor did not take this fact into consideration.

Before going to the 1977 dismissal and the 1989 dismissal, I would say at both the times I was the victim in the sense then I was a Minister in the Devraj Urs cabinet in 1977 and here in 1989 also I belong to a political party which was ruling the State. What is the difference between the two? Both are wrong. But one redeeming feature wag that here in 1977 Devraj Urs and aH of us put together convened the Assembly to meet on 3rd of January, 1978. Here in this case the Assembly was not prorogued. The Speaker was in charge of the Assembly. In terms of the law Assembly was in session. So, the Governor was duty-bound to refer the matter to the Speaker. Now, here even conceding the fact that 19 Members withdrew the support to the leader, the Governor had no courtesy even to call on the Chief Minister and ask for his resignation.

One more point is they had only withdrawn the support to the leader, but had not left the party. The second point was, had he referred the matter to the Speaker, they would have attracted the provisions of the anti-defection law. They had defected. If they had defected, they would have lost their membership. Then what would have happened? Even accepting the fact that 19 members defected, the single largest party was again the Janata Dal with a requisite majority to run the House. Therefore, because of these counts the Governor had the$_e$ duty cast upon him to give an opportunity to the leader to show hi$_s$ majority. When the Cabinet took the decision on 21st to convene the Assembly on 27th when we met the Governor, we told him in person that we were prepared to face the challenge. Even if he asked first to prove the majority, we were prepared to do it the next day. The next day the$_e$ Governor had no patience even to give an opportunity to prove the majority. I was the person who resigned my seat for Mrs. Gandhi to accommodate her and she lost her elections and the people with whom I am sitting now did make an accusation that I took Rs. 10 lakhs to resign the seat. I would have no moral courage, had I done that, to git here and face all of you. You also know that these things do happen in the political system. Many Members here have quoted that Rs. 20 lakhs was offered and Rs. 15 lakhs was offered. To whom this money was offered? Do they think that the MLAs of Karnataka are saleable commodity or do they think that they are *aya rams* and *gaya rams* as there were earlier in Haryana? Why do you keep the Anti-Defection Act? You throw it into the waste-paper basket because that Act has no meaning.

Let me quote, from the local newspapers what they have written about it. Here Members have quoted from some newspapers to suit their convenience. One of the leading papers of Karnataka the *Deccan Herald* in it^ opening remarks has said "Staging a coup Free India's history is replete

[Shri D. B. Chandra Gowda]

wilh instances of politicians and bureaucrats planted in Raj Bhavan dishonouring their oath to the Constitution to further the partisan interests of their masters in New Delhi." This is what the local leading newspaper Deccan Herald says.

What does the Times of India *local* edition say? I quote-. "Crisis in Karnataka.- The rest of the developments in Karnataka this week has all the makings of a Constitutional coup." This is what the States leading newspapers have observed.

If you have any differences with Mr. Hegde, let us go and fight elsewhere but let us not use this House. Mr. Hegde as the Chief Minister had the courage and conviction...

SHRI M. M. JACOB; That you address there itself.

SHRI JAGESH DESAl; Once upon a time.

SHRI D. B. CHANDRE GOWDA: Not once upon a time.Mr. Hegde had instituted a judicial enquiry against his own son. Please show me one instance at least in free India where any Chief Minister had instituted a judicial enquiry.

SHRI BUTA SINGH; Bribing the lawyer and by offering him a seat.

SHHI D. B. CHANDRE GOWDA: That is a Constitutional right. Anybody who has crossed 30 years of age and who is a citizen of India can come anywhere. Opinions do differ.

Many questions have been raised here about NRTs and other things. Even day before yesterday, Mr. Hegde has said "Come on, appoint a Supreme Court Judge to inquire into the NRIs case. I am prepared to accept a decision of any Inquiry Commission." You are not prepared to do that. Let us not forget the fact when Veerappa Moily Leader of the Congress Party, offered Rs. 5 lakhs to Mr. Byre Gowda, then the matter was reffered to a Commission of Inquiry. The Commission said that it was difficult to distinguish the voices. S_0 on that ground it was struck down. So let "us not for get the history when we speak of morality. Let us all understand that we are the children of the same system. That very system m India is the root cause for all these things. Tnat is why when the people's Representation Act was amended here. I did say that it is the electoral system which is responsible for all these things. Please change the electoral system. You have the majority. Therefore, before concluding, I would quote today's "Telegraph".The "Telegraph" has carried the news-item, *interruptions).*

SHRI M. M. JACOB; Mr. Vice-Chairman, I am not objecting to Mr. Chandre Gowda reading out that thing. But what I said was that the reply of the Home Minister was postponed on the request of the leaders of the Opposition also because there is a programme fixed by the Chairman this evening for which all of us will have to go.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Please conclude now.

SHRI D. B. CHANDRE GOWDA; I quote- "The President, Mr. Hi. Venkataraman had reservations over imposing the Central Rule in Karnataka but signed the Presidential proclamation as he was bound to do it under the Constitution, it is reliably learnt". Now, let met tell my friends that I am not here by the grace of anybody. I have seen more than 30 years of public life. I was twice elected to Lok Sabha. I was elected to Assembly. I was a Member of the Legislative Council. I was a Minister. I was 'the leader of the Opposition. I was the president of my party. I was the Speaker of the Assembly. I know what is Karnataka. Let Mr.

Subramanian Swamy before claiming, before owning Karnataka know that there are people who are being born and brought up in Karnataka and going to live there to serve the people. We are the sons of the soil. We may not be me mbers of the Harvard University but we are the best students brought out in public life from Karnataka and I would assure through this House -that we will show what the mandate of the people is and that day is not far off. So, I appeal to the Central Government to declare the elections immediately. Let us take the battle to the streets Let us know who is who and ' what is what. Let us put our case before the highest authority of the democratic setup, the people of this country. With these words, I support Mr. Gurupadaswamy motion and oppose the motion moved by the hon. Home Minister.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA); The word* used by Mr. Chandre Gowda is unparliamentary. I am removing it from thed. The discussion is concluded.

Now, the House stand adjourned and will met on Wednesday at 11.00 A.M.

The House then adjourned at forty-four minutes past six of the clock till eleven of the clock on Wednesday, the 26th April, 1989.

*Expunged as ordered by the Chair.